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AN

IMPARTIAL REPORT

OF THE

DEBATES

THAT OCCUR IN THE

TWO HOUSES OF PARLIAMENT,

In the Courſe of the Fourth Seſſion of the Eighteenth Parliament of Great Britain, called to meet at Weſtminſter, on Tueſday the 24th of September, 1799.

WITH

SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,

AND

NOTES AND ILLUSTRATIONS.

INCLUDING COPIES OF ALL

STATE PAPERS, TREATIES, CONVENTIONS, &c.

By WILLIAM WOODFALL,

AND ASSISTANTS.

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APPENDIX.

TO

TO THE PUBLICK.

SINCE the Reporter had laſt occaſion to addreſs his Readers, political circumſtances on the Continent have aſſumed a countenance equally new and ſurpriſing. Bonaparte, who ſeems in his career to have his guardian genius perpetually at his elbow, has been able to reſtore a great degree of internal tranquillity to France, and to give the campaign a ſudden and eſſential turn in favour of the Republick. His preſence in Italy has worked wonders; the Auſtrian Generals, as if over-awed by his high fame, have fallen into the moſt egregious blunders, and loſt opportunities of victory and triumph, which chance and ſituation held out to them, if they had but exerted common prudence. Hence Bonaparte has been enabled to gather new laurels, and recover the greater part of Italy, at a moment when it appeared utterly impoſſible for him to eſtabliſh a ſafe footing in that quarter of Europe. In Germany alſo the French army have acquired advantages. We are afraid, therefore, that, generally conſidered, the event of the campaign is already decided in their favour; nothing but a very ſingular accident of fortune can enable the Allies to parry the conqueſts hitherto atchieved by their triumphant adverſary. Whether Bonaparte will

ſuffer himſelf to be intoxicated with his ſucceſs, or will preſerve the moderation that he profeſſed, previous to the commencement of the campaign, a few months will ſerve to decide, but there certainly never was a more favourable opportunity for the French to make peace with Auſtria, who has every thing near home at ſtake, and whoſe general politicks ſince the rupture of the treaty of Campo Formio, ſhew little judgment, leſs energy, and ſcarcely any wiſdom.

With reſpect to our own country, the caſe is widely different. As far as the war can be ſeparated in conſideration from the intereſts of our allies, and viewed as a Britiſh war, it has been eminently ſucceſsful and glorious. Our marine enterprizes have been uniformly fortunate, and diſtinguiſhed by proofs of uncommon bravery and nautical ſkill. But we will not diſguiſe the fact, that if the French Republick make peace with their continental foes, and turn all their force againſt Great Britain, the ſtruggle will be an arduous one. We doubt not, that this country will eventually ſucceed. *De republicâ non eſt deſperandum*, and in the courſe of this long, difficult and expenſive war, it muſt be allowed even by our enemies, that we have met every dangerous turn of the conteſt with a manly and dignified ſpirit. From the firmneſs of Government there can be no doubt, but that Miniſters will maintain the ſame honourable character, and oppoſe loyalty and unanimity to anarchy and deſperate hope of renewed reſources. If the Auſtrians had been ſucceſsful in Italy, and the probability was highly

highly in their favour, there might have been ſome hope of Flanders, (or Belgium, as it is now termed, in what Mr. Burke ſo aptly called, "The gipſey language of modern France,") being reſtored to the Emperor. In the hands of the French it muſt ever continue an object of great jealouſy and great danger to this country; and a peace made without its reſtoration to its right owner, can never, by a profound politican, be conſidered better than a hollow truce, liable to be broken on every plauſible pretence.

In Egypt affairs have aſſumed a new turn. Kleber is at war with the Turk. What the effect may be of a well diſciplined European army, oppoſed to the feeble hoſts of a Turkiſh commander, is rather to be conſidered as favourable to the French. Had not our countryman, Sir Sidney Smith, aſſiſted and contributed ſo eſſentially to the ſucceſs of the Turkiſh forces at the ſiege of St. Jean D'Acre, probably that ſiege would have terminated very differently. Kleber, however, inſulated in Egypt, if we may ſo phraſe it, cannot be ſituated very comfortably. He has little to hope from European aid, and from the nature of the climate his army muſt neceſſarily diminiſh daily.

On the coaſts of the Mediterranean, in the Britiſh Sea, and in the Channel, every Gazette announces ſome freſh token of our ſucceſs. While, therefore, there remain to us ſo formidable a bulwark as the wooden walls of Old England furniſh, we have no occaſion to dread the utmoſt efforts of the inveteracy of a foreign foe.

That the war will ſoon terminate, and that peace will be accelerated by the late events in Italy, is pretty clearly evinced to be a prevailing opinion, by the little fluctuation of the price of the funds, and the unſhaken firmneſs of the public credit of Great Britain. We ſee no reaſon, therefore, that ſhould induce us to make a haſty, an ill-adviſed, or a diſhonourable peace. Burthened as the people of this country are with taxes equally unexampled and ſevere, they have hitherto borne their preſſure with admirable patience, and even with a laudable chearfulneſs; and we truſt that they will be ſo far prompted by the impulſe of publick ſpirit, and ſincere love for their country, that they will readily ſubmit to ſuſtain the load a little longer, rather than drive the Miniſters by injudicious clamours or impatient demands of the ſpeedy termination of hoſtilities; to patch up that ſort of conciliation, which, as has been already obſerved, cannot give us ſecurity for permanent peace, while it will inevitably induce national diſgrace.

At home, God be praiſed, we are ſafe, united and happy. The great queſtion of the Union with Ireland has been attained by the conſent of both kingdoms, after the fulleſt examination of all its bearings and relations to the particular intereſts, partialities and prejudices of both the one and the other. And duly conſidering it in all its views, he muſt know but little of the general intereſts of Great Britain and Ireland, who does not ſee that ſo important a meaſure is pregnant with the moſt beneficial effects to both kingdoms.

doms. To Ireland the advantages are immediate and immeaſurable. To Great Britain they will neceſſarily be more gradual, but ultimately certain and important. The Empire will acquire an eminent degree of ſtrength, ſafety, and ſubſtantial authority, by this very ſound political proceeding, founded equally in liberality and wiſdom on the part of Great Britain, and good ſenſe and reaſon on the part of Ireland.

Having diſcuſſed theſe larger conſiderations, it is almoſt deſcending to trifles to notice leſſer matters, but the Reporter cannot conclude this addreſs without expreſſing his regret, that the Bill to prevent adultery was loſt in the Houſe of Commons. If ever a Bill was called for by the preſſure of the occaſion, ſome Bill to check the progreſs of adultery, and put an end to the colluſive practices of ſuitors for Divorce Bills was loudly called for. He is aware, that wiſe and well-informed men oppoſed the late Bill, and he has no doubt, oppoſed it upon principle; many Members of the Houſe of Commons alſo probably objected to it on equally unexceptionable grounds; he muſt, however, take the liberty of ſaying, on the experience of thirty years obſervation, that ſome Bill reſtrictive on the ſubject is abſolutely neceſſary. Whether the Eccleſiaſtical Court ought not to be conſulted in reſpect to it, may be entertained as a reaſonable matter of doubt; probably it would end in a happy concurrence of opinion, and a fortunate

melioration

melioration of the meaſure moſt fit to be adopted. All conſiderations for the caſes of adultreſſes of high rank, as ſtrongly urged in debate in contradiſtinction to unfortunate females of a leſs elevated claſs, are injudicious and abſurd, and can only excite univerſal and ſovereign contempt.

The favourable ſeaſon we at preſent enjoy, which has contributed ſo eſſentially to the getting in of a plentiful hay harveſt, promiſes moſt auſpiciouſly to the growth of the grain in the ground, and affords rational expectations of crops of corn as large and abundant as thoſe of the laſt year were unproductive and deficient. We are, therefore, not without hope, that the high price of proviſions of all kinds will gradually diminiſh, and that ſuch another winter of ſcarcity and dearneſs, as all ranks have recently in a degree felt equally, will not be the viſitation of Providence for many years to come, eſpecially if common prudence be exerted, and the means of averting it, which God and Nature have put into our power be but timely and prudently reſorted to. Among all the various ſymptoms of having an intention to make uſe of thoſe means, a ſtronger proof cannot be inſtanced than the laudable readineſs of the Legiſlature to encourage encloſures of waſte and unproductive lands, and the truly honourable zeal of thoſe patriotic Noblemen and Gentlemen of extenſive fortunes and conſiderable eſtates who give their earneſt attention to agricultural purſuits, and the encouragement of

the

the growth and improvement of cattle, on which not only our ſuſtenance, but our clothing, our manufactures, and the main ſprings of our trade and commerce altogether depend. Political objects, and the aims of ambition become paltry conſiderations, and almoſt ſink to nothing in the compariſon of ſuch eminent ſervices to the country. As it was long ago ſaid, with great judgment and perfect wiſdom, "that the man who made a blade of graſs grow, or raiſed an ear of corn, where neither before vegetated, more deeply deſerves the gratitude, admiration and thanks of his fellow ſubjects, and will be better entitled to their exalted and laſting praiſe, than the proudeſt ſtateſman that ever could boaſt of having at an expence of blood and treaſure devaſtated millions of acres, the poſſeſſion of political enemies, to the aggrandizement of his own nation."

Queen-ſtreet, Weſtminſter,
July 5, 1800.

WOODFALL'S
PARLIAMENTARY REPORTS.

BEING THE FOURTH SESSION OF THE EIGHTEENTH PARLIAMENT OF GREAT BRITAIN.

The following is taken from a Publication by LORD SHEFFIELD *formed from materials which his Lordſhip mentions that he propoſed to have ſtated to the Committee of the Houſe of Commons, but the length of ſome ſpeeches, and the impatience which was ſhewn for the queſtion, prevented him.*

I HAVE, at different periods, conſidered the ſtate of the manufactures of Great Britain, conceiving they are worthy of attention; and I have always been a hearty well-wiſher to the ſucceſs of the woollen manufacture, eſpecially to that of Yorkſhire, in favour of which I am likely, from circumſtances, to entertain a prejudice, but againſt which I certainly can feel none. I have alſo conſidered the growth and qualities of wool in different parts of the world, and I have viſited ſome of the principal manufactories abroad. During upwards of thirty years I have had experience in the growth of wool. Having alſo, at different periods, conſidered the ſtate of Ireland, her manufactures and trade, and having ſome knowledge of the relative and comparative ſituation of that country and Great Britain, I preſume to offer an opinion on a very intereſting ſubject, ariſing out of the Union.

In what I ſhall hereafter ſtate, I have particularly adverted to petitions preſented to the Houſe of Commons, and to evidence lately given before the Committee of that Houſe, much of which appears to me queſtionable, with reſpect to many of the facts advanced, as well as with regard to the reaſonings of thoſe perſons who have argued in relation to thoſe facts.

The petitioners and their advocates aſſert, if the exportation of Britiſh wool ſhould be allowed, Ireland will rival England in the manufacture of her wool, whilſt Ireland on her part claims the continuance of protecting duties for her own woollen manufactures againſt the Britiſh. They alſo

aſſert, that the growth of wool in Great Britain is not ſufficient to ſupply the manufactures; and that, in caſe Britiſh wool ſhould be permitted to be exported, great quantities would be conveyed to foreign countries, under pretence of carrying it to Ireland.

Although the ableſt of our writers have argued in favour of a free trade in wool, I am glad that it is not neceſſary to enter upon that delicate ſubject, relative to which we do not always allow ourſelves to reaſon freely. To me, I confeſs, the queſtion ſeems to amount to no more than this—Whether or no, until a complete arrangement of Exciſe and Cuſtoms can take place between Great Britain and Ireland, the wool of this country ſhall for a time be exportable to Ireland, the utmoſt poſſible inconvenience of which would be to raiſe a little, during ſuch limited time, the price of the coarſer wools? But, in truth, I conceive the material queſtion is, Whether wool ſhall go from England to Ireland, when the two countries are incorporated? For I have heard our liberal manufacturers acknowledge, that in caſe of an Union there ought to be a free intercourſe, but that there ſhould be no protecting duties againſt the woollen manufacture of England, while the linen manufacture of Ireland enters duty free. I ſhall not attempt to defend theſe protecting duties, that are to take place, until the arrangement can be completed;—far leſs ſhall I attempt to juſtify the commercial policy of Ireland in requiring them. In the firſt place, they will act as a tax on the people of Ireland; and the experience of a century has proved, that, under the operation of ſuch duties, the import of Engliſh woollens into Ireland has not been checked, the average of nine years, ending in 1798* incluſive, being 425,676l. in value: but, above all, it appears to me, that the introduction of this ſyſtem, which eſtabliſhes the ſame protecting duties in woollens imported from Ireland, will counteract one of her main objects, namely, the introduction of Engliſh manufacturers and capitals; for, were I a manufacturer, I certainly ſhould not ſettle in Ireland during the exiſtence of a ſyſtem that would exclude me from the market of Great Britain, which, in every other inſtance, Ireland has found the beſt, and through which almoſt the whole of her commerce is carried on. I ſhould wiſh, even if it were only for the ſake of appearance, that there ſhould not ſeem to be

* I have not included the year 1799, as the import was extraordinary, in conſequence of the rebellion and the large army then in Ireland.

any

any want of reciprocity between the two countries. Perhaps it was not worth while to furniſh fuel that would inflame apprehenſions in Ireland; but, fairly conſidered, it is only a temporary expedient, a temporary gratification to the Iriſh, which is to exiſt for a period much too ſhort to produce any material diſadvantage to the woollen manufacture of England, ſo firmly and ſo well eſtabliſhed that all countries apprehend the ruin of their own manufacture, if Engliſh woollens, charged as they are with duties, be admitted into them.*

The objection made, in this country, to the export of wool to Ireland, comes principally from the woollen manufacturers of the North: but, before I obſerve on their apprehenſions, it may be proper to examine what are the expectations of benefit entertained in Ireland if wool ſhould be exportable from hence to that country. The evidence printed by order of the Iriſh Houſe of Commons, ſeems to mark the prevailing opinion in Ireland on that point. The whole of that evidence ſhall be fairly given, together with extracts from two ſpeeches of Mr. Foſter, Speaker of the Iriſh Houſe of Commons, and of Mr. Beresford, who has long preſided over the Exciſe and Cuſtoms in Ireland: both theſe gentlemen are known and acknowledged to be men of great ability, than whom none are better informed on all ſubjects which concern the trade and intereſt of their country.

Extract from the evidence of Mr. PIM, *reputed to be a very intelligent and well-informed man.*

"Mr. Joſhua Pim, examined—Says he has taken notice of the article allowing the importation of wool: cannot but conſider there is ſome advantage in Ireland getting the importation of any article which ſhe had not before; but does not ſee any reaſon to expect that Engliſh wool can be brought into this country, and manufactured here, with any advantage to this country: can, however, ſpeak only as to probability: there was formerly great difference in the prices of wool in England and Ireland—they were much cheaper in England than in Ireland; underſtands they are

* It is difficult to average the value of Engliſh woollens imported into Ireland; but the duty certainly is not ten per cent. on the whole, and there will be no duty on the import of Britiſh carpeting, blankets, and certain coarſe woollens. The value of woollens imported into Ireland from Great Britain, average of three years ending January 1799, 686,759l. Duty paid in Ireland, on ſame average, 42,499l. Conſequently the true average duty is about ſix per cent.

now nearly equal: it was then a great object to the Irish manufacturer to get ſhare of the Engliſh wool, at a time there was a great diſparity in the prices: Underſtands that diſparity does not now exiſt; wool being a very bulky article, it muſt be of very expenſive conveyance: Does not apprehend the oppoſite coaſt of England to be a wool country; of courſe the expence of carriage muſt be great: Recollects, ſeveral years ago, making an attempt to ſend wool from Dublin to Cork by ſea; the expence was ſo great, he deſiſted, and continued to ſend by land-carriage: apprehends Ireland to be moſtly deficient in the fine wool for clothing; but for any thing of an export manufacture, ſhe is deficient in every reſpect: Spaniſh wool is imported on as good terms as Engliſh; but, from circumſtances, it cannot be had ſo cheap: Ireland is very deficient in the manufacture that is compoſed chiefly or wholly of Spaniſh wool; that manufacture has declined greatly within ſome years: apprehends that Ireland would not import much of the fine Britiſh wool, from the high price of it, for the fine manufacture, at the prices for two or three years back; thinks it muſt come quite too dear for the coarſe manufacture: the export of bay yarn has decreaſed, theſe laſt few years, almoſt to nothing; in Ireland it is moſtly wrought up in ſtuffs and ſergas; in England it is wrought up in other articles, and in ſtuffs and ſerges alſo: there is not a conſtant demand from England; there is at preſent a demand; witneſs had application for ſome this day: he is not intimately acquainted with the making of carpets; underſtands that it is the coarſe combing wool that is uſed; coarſe coverlets and blankets could be made of the coarſe wool: does not think it likely that any Engliſh manufacturer will come over here and ſettle his capital in the woollen buſineſs; he could employ it better at home: the import of woollen cloths has increaſed in this country prodigiouſly: there is a duty per yard, which is very trifling on fine cloths: the increaſe of import has taken place chiefly there; conſiders the increaſe of import a proof that the Engliſh manufacturer can make fine woollen cloth cheaper than can be made here: conceives a greater quantity of cotton wool comes through England than comes direct; he ſpeaks from obſervation, not from knowledge: coals are very material to the woollen manufacture, but not ſo much as to other manufactures. It is pretty clear that Yorkſhire muſt poſſeſs many advantages, as to the woollen, over other parts of England; never was in Yorkſhire, but

underſtands

underſtands that there are collieries there: in the clothing branch they ſpin and card the wool by machinery; has heard of their ſheering the pieces by machinery: there are a good deal of machinery in the woollen manufacture in Ireland: hears in Middleton, and knows that in Dublin, and in other places, ſome are turned by water, and a good deal in Dublin turned by horſes; in the woollen trade, the ſpinning is done by hand-machines in Ireland."

Mr. Foſter, in his printed ſpeech of the 17th February laſt, ſays,

"The free import of wool from Britain, which the propoſitions allow, is cried up as a great ſacrifice made by Britain, and a great gain to us. I acknowledge its liberality, and that it was not included in the commercial propoſitions of 1785; at the ſame time I cannot ſee its particular beneficial effects. Our great import of woollen manufacture conſiſts chiefly of the finer cloths, in which Spaniſh wool is ſolely or principally uſed: we cannot expect any, or at leaſt very little wool fit for them from Britain; and I apprehend the freight on it would be much higher on account of its bulk than 5¼ per cent. which the noble Lord ſtates to be the general charge on all articles from Britain to Ireland: its freight is ſo expenſive, that I am well informed an attempt to ſend it from Dublin to Cork coaſtways was abandoned, and it was ſent by land: Spaniſh wool is as free to us without duty, as to Britain; yet we manufacture a very ſmall part of our conſumption of ſuperfine clothing.

"If the coarſer wool ſhould come, which might be principally uſed in carpeting, you will recollect that theſe ſame propoſitions take off the preſent protecting duties of 12l. 14s. 1d. per cent. If wool in Britain ſhould again fall to the low price it uſed to be at, compared with our's, we might poſſibly import; the conſequence would be lowering the price of our own, which, however beneficial to the clothier or carpet maker, might not be reliſhed well by the grazier; but the whole of it promiſes to be ſo trifling, that it is not worth further obſervation."

Mr. Foſter, in another ſpeech of the 19th March laſt, ſays,

"As to old Drapery—our import of it has increaſed exceedingly; *ſc.* from an average of 690,737 yards in the firſt five years, to one of 1,027,404 on the laſt five ending 1799; and even in the year 1799, the import was 1,269,857, exceeding the average a fifth. It is evident, therefore, that

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our ſupply of this manufacture from Britain has riſen moſt rapidly; and as there is to be no change of duty on it, the Britiſh raw wool is offered to us duty free to check its increaſe. I ſhewed you, formerly, how ineffectual the offer muſt be for extending the manufacture here; but the right hon. Gentleman tells us, that, notwithſtanding its great bulk, the freight of it will not be expenſive, becauſe ſmugglers carry it. He cannot mean from England hither; there is no ſuch practice; and if he means from either country to France, I ſhall doubt the fact. Let me, however, remind him, that while one pack of Britiſh wool ſerves to work up two of French, it is worth the Frenchman's while to pay exceſſive freight for it."

Mr. Beresford, in his ſpeech of the 27th of March laſt, ſays,

"Does any man really believe that the uſe of Britiſh wool can be of no advantage to the wool-comber, the ſpinner of wool, the weaver, and the whole manufacture of woollens? Is it not a well-known fact, that although wool was cheaper in England than in Ireland, yet that our yarn was much cheaper in Britain than they could ſpin it for, owing to our labour being ſo much lower than theirs. If, then, we get nothing but the ſpinning of the wool, we ſhould be conſiderable gainers, the value of yarn being one-third of the value of the manufacture."

Mr. Foſter, and alſo Mr. Pim, appear to under-rate the advantage of importing wool from England. I agree with Mr. Beresford, that Ireland may derive conſiderable advantage from the circumſtance, and without prejudice to Great Britain, as ſhe may extend thoſe manufactures for which ſhe has a demand, and in which ſhe excels; but it can only be when the price of wool is low in England: and I aſſert, that whenever the demand ſhall raiſe the price in this country to any thing like its true value, Ireland cannot afford to pay it; that riſe would immediately check the demand from Ireland, and ſhe will never be able to import Britiſh wool at near ſo low a price as the Britiſh manufacturer may always have that article. The permiſſion to import wool from hence may prevent its becoming a drug in this country, and may alſo prevent its deterioration. It tends to encourage a good quality of wool, becauſe it will promote a ſteady, reaſonable price: but no more of it can go to Ireland than what our manufacturers do not want. The export will be regulated by the price; and ſurely our manufacturers, protected by machinery,

machinery, which goes far in equalizing the price of labour*, and many other advantages, cannot dread a manufacture *in Ireland*, made of Britiſh wool, charged with the expence of carriage, freight, inſurance, commiſſion, &c. Few countries become induſtrious until the expence of living has rendered conſtant labour neceſſary. The increaſe of manufactures will increaſe that expence, and the price of labour in Ireland; where ſkill is required, wages are higher in Ireland than in England.

Ireland has, and has had at different periods, a conſiderable woollen manufacture. The deſpotic Act of 1699, dictated by the ſame policy which gave the monopoly of wool to the manufacturer againſt the wool-grower and conſumer in England, prohibited Ireland from exporting woollens or wool: of courſe promoted the ſmuggling great quantities of wool from thence. It was for the advantage of the woollen manufacture of England, that woollen and worſted yarn were permitted to be ſent from Ireland to England: This permiſſion raiſed the value of wool in Ireland, greatly reduced the ſmuggling of that article, and, ſince the prohibition to export woollens has been repealed, that practice has entirely ceaſed; Ireland works up almoſt the whole of the wool ſhe grows, as is proved by her having exported lately very little wool, or woollen or worſted yarn.

The following Statement, taken from Obſervations which I publiſhed in 1785†, will more fully ſhew what the Iriſh woollen manufacture has been and is likely to be:

Some manufactures of wool‡ exiſted in Ireland previous to the reign of James the Firſt, but they were not conſiderable: They then made ſome progreſs, and in the ſucceeding reign, although Lord Strafford diſcouraged them. The civil war which followed, almoſt annihilated every manufacture in Ireland; and that country, which had ſo abounded in cattle and proviſions, was, after Cromwell's *ſettlement* of it, obliged to import proviſions from Wales §. However, it was ſufficiently recovered, ſoon after the Reſtoration, to alarm the grazing counties of England; and in

* Mr. Joſeph Stancliffe, in his evidence, the firſt of May 1800, ſtates the ſaving of labour by the introduction of machinery as 77½ to 160.

† Obſervations on the Manufactures, Trade, and preſent State of Ireland.

‡ Eſpecially frizes.

§ Sir William Petty ſtates the cattle and ſtock of Ireland to be worth above four millions in 1641, and that the whole cattle in Ireland was not worth 500,000l. in 1652.

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the year 1666, the importation of live cattle, ſheep, ſwine, &c. from Ireland, was prohibited. The principle of the Bill was bad; but it proved a beneficial law for Ireland. It was repreſented, that the rents of England had fallen one fifth, through the public *nuiſance*, as it was termed, of importing cattle from Ireland; although the value of thoſe imported in 1667, the year previous to the law, was not above 132,000l.: The hides, tallow, and freight, were worth half that ſum. Obſerve the effect of the narrow views and miſtaken policy of England: Before that time, great numbers of young cattle were ſent to England; little butter, ſcarce any beef, hides, or tallow, were exported; and the money received for the cattle was paid for Engliſh commodities. The attention of Ireland was by that reſtraint turned to ſheep, to the dairy and fattening of cattle, and to tillage; and ſhe ſhortly exported much beef and butter, and has ſince ſupplanted England in thoſe beneficial branches of trade. She was forced to ſeek a foreign market; and England had no more than a fourth of her trade, although before that time ſhe had almoſt the whole of it. The woollen manufacture of Ireland *, towards the end of that century, began to recover; and England (not content with her extraordinary experiment in reſpect to cattle) immediately ſuppoſed her own manufacture ruined; and a narrow ſpirit, which was more excuſable in the manufacturers becauſe they ſeemed in a degree intereſted, induced the Legiſlature to paſs an Act in 1669, prohibiting the exportation of woollen manufactures

* A Report of the Board of Trade, made in the year 1697, gives the following account of the Iriſh Woollen Manufactures exported:

YEARS.	HATS.	DRAPERY.		FRIZE.	RUGS.	STOCKINGS.
		New.	Old.			
	No.	Pieces.	Pieces.	Yards.	No.	Dozen.
1665		224	32	44[illegible]381	455	1,839½
1684	336	3,867	34	562,805		2,724
1687		11,360	103	1,129,716		4,261½
1690		247½	11½	101,419	3	820
1691	31	1,470½	50½	150,692	5	1,641
1692		1,500	62½	62,771½		1,618
1693	981	2,726½	23½	34,681	53	810½
1694	727	2,912	28½	20,839½	24	2,370½
1695	718	2,608	17½	41,146	19	1,251
1696	1,347	4,413½	34½	204,167	144	2,919

from

from Ireland to any other places but the few wool ports in England, where they were liable to duties which amounted to a prohibition.

And obſerve, again, the miſtake of England: The woollen manufacturers of Ireland, who, or their anceſtors, came chiefly from England, now emigrated from Ireland*; certainly, however, in ſmaller numbers than were at the time repreſented. In their reſentment and neceſſities, many of the Proteſtants moved to Germany, many of the Roman Catholics to Spain, and others of each deſcription to France, where they received encouragement †, and ſhewed the means of ſmuggling wool to the Continent from both Iſlands. The foundation of manufactures was laid, or they were promoted, highly to the prejudice of England; and thus ſome return was made for the manufactures eſtabliſhed in the Britiſh dominions by the equally unwiſe Edict of Nantz.

But the account of the woollen manufactures exported from Ireland in 1698, the year preceding the prohibition, will beſt ſhew the wantonneſs of that oppreſſive meaſure:

		England.	*Scotland.*	*Elſewhere.*
Apparel	value	£. 102 3 4		£. 517 19
Drapery	new, pieces	601	2128	20556½
	old, pieces	1¼	29¾	250½
Frize	yards	127,601	1355	537945
Hats	number	479	1125	2866
Rugs	do.	30	10	418
Stockings	wol. doz. pr.	745	5	7002
	wor. do.	16 9		158 8

For the better underſtanding of this account, it is neceſſary to know, that the article the amount of which is moſt conſiderable, namely frizes ‡, was not made in England. That

* About the year 1664, ſome clothiers from the Weſt of England ſettled in Dublin, and eſtabliſhed the manufacture which ſtill continues there. It is ſaid, nearly at the ſame time, ſixty Dutch families of clothiers ſettled at Limerick. Some Engliſh clothiers ſettled alſo at Cork and Kinſale. Some French introduced the drugget manufacture at Waterford; and, in 1675, ſome London Merchants ſet up a woollen manufacture at Clonmell.

† Eſpecially from Colbert, who at that time greatly advanced the manufactures of France.

‡ Frize was the principal woollen manufacture of Ireland, when her wool was much finer than it is now; and had been eſtabliſhed very early there: we find it the object of a law in 1376, the laſt year of Edward the Third. The larger part of the frizes that came to England were dreſſed, and, receiving a conſiderable degree of manufacture, afforded a profit to this country. The export of frizes is now inconſiderable, but the increaſed population has probably increaſed the home conſumption.

the frizes and ſtockings exported the preceding year, 1697, together, amounted to 14,625l. 12s.* and the old and new drapery, which alone interfered with the Engliſh manufacture, amounted only to 8988l. 17s. 6d.† In 1698, 242640lbs. of yarn, and 1,958,204lbs. of wool, were ſent to England, which was 176,616 of yarn more than in 1687, the year of greateſt export; and 700,434 of wool leſs. In the above mentioned year of the greateſt export, viz. 1687, the value of all the woollen manufactures exported did not exceed 70,521l. 14s. and of that ſum the frizes amounted to 56,485l. 16s. coarſe ſtockings, 2520l. 18s.: Old and new draperies did not exceed 11,514l. 10s. It appears from the Cuſtom-houſe accounts, that Ireland had not recovered above one third of the woollen trade ſhe had before the war of the Revolution; and it is remarkable that, in the above year 1687, ſhe ſent more wool and yarn to England than in any of the preceding years, viz. of yarn, 67,624 ſtones; of wool, 4,628,656.

England did not foreſee an obvious conſequence of prohibiting the exportation of woollens from Ireland, namely, that it would lead her to manufacture her wool into a great variety of articles for her own conſumption, and reduce her import of Engliſh manufactures: whereas the frizes, the then principal manufacture of Ireland, and the principal article of Iriſh export, did not interfere with any branch of Britiſh woollens.

The import from England was leſſened accordingly, although not for the years immediately following.

Imported into Ireland from Great Britain.

‡ *Old Drapery.*		*Value.*	*New Drapery.*	*Value.*
Years.	*Yards.*	£. s. d.	*Yards.*	£. s. d.
1700	12,192	9,014 12 6	24,522	2,043 10 0
1706	5,514½	4,135 17 6	15,308½	1,913 11 3
1729	23,412½	18,309 3 0	35,905	3,590 10 0
1737	9,626½	6,497 17 9	17,569½	2,635 8 0
1740	16,714	—	39,064	—
1741	12,918	—	42,504	—
1742	22,971	—	53,364	—

* This calculation is taken from J. Smith on wool: it appears very low.

† Total of woollen manufactures exported that year, 28,614l. 9s. 6d. Accounting the wool to be one-fourth, the value of the labour was about 18,000l.

‡ Old drapery means that cloth which has undergone the operation of the fulling mill. By new drapery is meant generally manufactured worſteds or ſtuffs.

1743	14,582	—	65 880	—	
1777	381,330	266,931 0 0	731,819½	91,477	8 4
1779	176,196	—	270,839	—	
1780	64,346	—	159,428	—	
1781	326,575	—	433,198	—	
1782	362,824	—	547,336	—	
1783	371,871	—	420,415	—	

Exported from Ireland to Great Britain.

Years.	Wool. Stones of 18lb.		Wool. & worſt. yarn. Stones.	
1687	178,766 or	3,217,788	3,668 or	67,624
1698	256,591 —	4,618,638	13,480 —	242,640
1700	336,292 —	6,053,256	26,617 —	479,106
1714	147,153 —	2,522,754	58,147 —	1,046,646
1729	38,667 —	696,006	91,854 —	1,753,372
Average of 5 years ending March 25, 1766	25,284 —	455,112	160,295	2,885,310
Average of 5 years ending March 25, 1783	2,435 —	53,830	84,255	526,590

	Wool.	Woollen yarn.	Worſted yarn.	
1797	88 or 1584lb.	354	15,062	135,558
1798	89 — 1602	nil.	12,192	219,456
1799	226 — 4068	nil.	5,250	94,500

The prohibition having promoted the ſmuggling of wool, the peace of Utrecht rendered that practice more eaſy, the intercourſe with France was greater; and in the year 1714, the quantity of wool imported into England from Ireland, which in 1700 was 336,292 ſtones, was reduced to 147,153 ſtones. The quantity of woollen yarn imported into England from Ireland had increaſed from 26,617 ſtones, or 479,106lb. in 1700, to 91,854 ſtones, or 1,753,372lb. in 1729, the year previous to the alteration of the duty on export from Ireland. The duties were entirely taken off* in England, by the 12th and 26th George the Second, from woollen and worſted yarn imported from Ireland. To which (the in-

* But this was not propoſed in favour of Ireland. It was not much better than a job in favour of the Engliſh manufacturers, whoſe intereſt it was not to diminiſh the quantity of Iriſh wool, though their wiſh was totally to deſtroy the Iriſh manufacture, and (notwithſtanding the monopoly was already given to them of Engliſh wool) it was thought *reaſonable* that the wool growers of England ſhould ſubmit to this additional depreciation of that article. This law, however, tended to leſſen the ſmuggling of wool from Ireland to foreign countries, at the ſame time that it lowered the price (already too low) in England.

creaſed demand for worſted yarn from Mancheſter, and the circumſtance that ſpinning is much cheaper in Ireland than in England, being added) the increaſed export of yarn from Ireland may be imputed. The value of wool was raiſed very conſiderably above the price in England, by the demands of the merchant, who was enabled to give an extraordinary price, being reimburſed through the low price of ſpinning. Smuggling of wool, of courſe, decreaſed, and has for ſome years ceaſed: And here it may be remarked, that the depreciation of wool in any country, below its natural value, by prohibitions or monopolies, encourages ſmuggling more than the particular want of it in other countries.

Since the year 1768, the export of wool and woollen and worſted yarn has decreaſed very much, principally from the increaſe of the woollen manufacture in Ireland, the increaſe of the people, and conſequently increaſed home conſumption; and ſome have ſuppoſed that the corn bounties and increaſe of tillage had diminiſhed the number of ſheep. It appears, that the importation of draperies decreaſed between the years 1729 and 1737, to leſs than half; for which it is not eaſy to account, unleſs by the impoveriſhment and diſtreſs ariſing from the ſcarcity of corn in the years 1728 and 1729*. From 1743 the importation began to increaſe, and rapidly and progreſſively, till the great import took place in 1777, and then, in conſequence of non-importation agreements and other circumſtances, the importations ſuddenly and greatly fell; but in the following years, the importation of old drapery roſe above the average of former years, and amends were made for non-importations: A ſimilar reſult had taken place in America on like occaſions.

Value of the woollen manufactures exported from Great Britain to Ireland, in the laſt ten years:

1790	£.394,720	7	8
1791	499,793	16	8
1792	490,271	16	3
1793	178,071	11	5
1794	308,759	16	6
1795	458,938	3	10
1796	555,963	10	6
1797	360,600	3	10
1798	583,964	14	0
1799	916,190	4	6

* Corn had been imported, in eighteen months, to the amount of 274,000l.; a vaſt ſum at that time, conſidering the ſtate of the country.

The

The extraordinary increaſe in the year ending the 25th day of March 1799, was probably occaſioned by the diſtreſs of the country, in conſequence of the rebellion, and the neceſſity of ſending clothing to the great military force then in Ireland.

In the year 1809, the value of the woollen manufactures of Great Britain was ſuppoſed to be nineteen millions.

On an average of three years, ending March 1799, the export of woollen manufactures, from Great Britain to all parts, was - - - - £.8,458,567*
Of which exported to Ireland - - 686,759

On the ſame average, Ireland exported woollen manufactures, to all parts, in value - - - 10,387
To Great Britain - - - 13
Wool to Great Britain - - - 92
Woollen and worſted yarn to ditto - 20,081

As to the quality of Iriſh wool, it is much decreaſed in fineneſs; but the increaſed quantity more than compenſates. Sir William Petty mentions the fleece to weigh about two pounds, and he ſuppoſes that there were then in Ireland four millions of ſheep, and this was probably about the time of the act againſt the importation of Iriſh cattle. It is ſaid, Ireland produced excellent clothing wool in the laſt century: but there are only three counties in that kingdom that now furniſh any quantity of that kind; it bears no proportion to the quantity of coarſe cloth conſumed in Ireland: there muſt, therefore, be a balance againſt one of the woollen manufactures of that country.

The Iriſh fleeces, inſtead of 2lb. are now double, or near treble that weight. But weight is a fallacious criterion of the fineneſs of wool; a Spaniſh fleece of 7lb. weight is much finer than a Southdown fleece of 1lb. and a half.

In reſpect to the price of wool being too high, it may be remarked, that notwithſtanding this ſuppoſed extraordinary value, the number of ſheep is ſaid to have decreaſed in Ireland, and probably would decreaſe much more if the price ſhould be as low as it was in England. A prohibition of the export of wool and yarn, which was once in contemplation, for the ſake of lowering the price of wool to aſſiſt the manufacturer, would probably diminiſh the price at firſt, and diminiſh the number of ſheep; but, in the end, from the de-

* According to Davenant the total exports from England in 1699, was - - - - - - £.6,788,166
Of which the woollen manufactures were - - 2,932,292

preciation

preciation of the price, would riſe again in conſequence of the decreaſe of ſheep; and, conſidering the higher price of wool in Ireland than in England at that time, it is probable there was a redundancy of the kind * that went to the latter, and that it was of a ſort for which there was not yet a full demand; but whenever the manufacture increaſes, a demand will ſtop the exportation. Until the manufacturers are more induſtrious, and conſequently can afford to live better and conſume more meat, ſheep, when wool is low, will not pay as well as in England, where the price of mutton is much higher, and makes it anſwer to the farmer to raiſe ſheep when the price of wool would not. But it does not appear that wool is at an unnatural price in Ireland; it is dearer than it was when there was little demand from ſpinners, and when the low price made it an object to ſmuggle. It was dearer than the wool in England, of which a monopoly is given to the manufacturers; but comparatively with the wool of other countries, it was cheap.

It appears from the report of the Committee of the Iriſh Parliament, appointed 1784 to inquire into the ſtate of the manufactures, that ſorted wool is nearly *as dear again* in Ireland as in England, and that there is not ſuch diſproportion in the prices of fleece wool. We may infer, that Ireland wants our uſeful claſs of woolſtaplers, who purchaſe the wool from the grower, and ſort it into different parts to ſuit the ſeveral manufactures: the advantage of this is obvious, that the woolſtaplers can afford to ſell cheaper, and the wool will be better prepared for the purpoſe wanted.

The medium price of wool in Ireland from 1703 to 1729 was 6s. 6d. per ſtone of 16lb.; Iriſh woollen yarn, on a medium of eight years ending 1728, was 10s. 4d. per ſtone; fine wools in Ireland in the year 1743 ſold for 16s. per ſtone, the medium price of wool was 12s.; in 1776 the middle price of wool in the fleece had gradually riſen to between 17s. 6d. and 18s. 6d. per ſtone, and in 1784 it had as gradually fallen to 11s. 6d. and 12s. 6d.; the preſent price in Ireland is, as nearly as an average can be given of an article that varies ſo much in quality, one ſhilling per pound.

Theſe details, I fear, will be thought minute. But this kind of hiſtorical account of the Iriſh woollen manufacture will, perhaps, ſatisfy the reader, better than any other

* The quantity exported was inconſiderable, and on an average it did not, in 1785, exceed in value 1000l. yearly; and now, on an average of three years preceding 25th March, 1799, it is only 92l.

ſtatement,

ſtatement, in reſpect to the paſt extent and probable extenſion of that woollen manufacture; and will beſt ſhew how little it interfered in reality with the Britiſh manufacture, even when it flouriſhed moſt, and occaſioned alarm in this country.

It is curious to obſerve the injudicious energy of oppreſſion employed by one country to depreſs and prevent the exportation of the woollen manufacture of the other, and the equally ignorant diſpoſition of Ireland almoſt conſtantly during a century to impute her poverty and inability of growing rich to the want of a woollen export trade, while it is evident that ſince the revolution, ſhe has not grown wool enough to clothe her own inhabitants. Her woollen manufacture, however, muſt have increaſed very conſiderably, although not in proportion to her population. She now works up the whole of her wool, which ſhe did not do in the year 1698, when the increaſe of her manufacture cauſed that jealouſy in England which occaſioned the extraordinary prohibition above-mentioned. She that year exported to Great Britain 4,861,278 pounds of wool and woollen yarn; but her conſumption is ſo much increaſed, that it appears her importation of woollens from England has doubled, even ſince the prohibitory law to export woollens has been repealed, and ſince her manufacture has had all the encouragement (during the laſt twenty years) which had ever been ſuppoſed neceſſary.

The manufacturers of England can hardly apprehend that the Iriſh manufacture made of Engliſh wool will find its way into this country, as the ſame protecting duties are, during twenty years, to take place on Iriſh woollens imported here, as on Britiſh woollens imported into Ireland: and as to the ſuggeſtion, that Engliſh manufacturers, who have correſpondencies abroad, will remove to Ireland, and there form great eſtabliſhments (which could not poſſibly repay them in the limited time which will elapſe before all duties ſhall ceaſe between the two countries), I anſwer, that it would be inconſiſtent with the good ſenſe and prudence of our manufacturers to take ſuch a ſtep. They will take care to be well informed before they riſk their preſent gains, and will learn how difficult it would be, if they eſtabliſhed themſelves in Ireland, to vie with the Engliſh manufacture abroad. It is known that the advantage of favourable ports and of lower freight is not ſo great as the poſſeſſion of a trade, and that a great part of the linen manufacture of Ireland is exported through

through England. They will recollect, that after many attempts during upwards of a century, after heavy duties laid on Britiſh woollens, and extravagant expedients, ſuch as non-importation agreements, the woollen manufacture of Ireland has not flouriſhed beyond a certain degree. Experience has taught Ireland, that, by attention to her linens, that manufacture will be as predominant in Ireland as woollens are in England. She might expend much money in attempts to eſtabliſh the woollen as a principal manufacture; but it is proved how difficult an operation this is. A conſiderable manufactory, eſtabliſhed not long ſince in the county of Cork, under every ſeeming advantage, and of which the greateſt hopes were entertained, has not ſucceeded: in ſhort, it ſeems evidently the intereſt of Ireland not to divert her attention from her ſtaple manufacture, by ruinous endeavours contrary almoſt to nature, and to imperious circumſtances, to aim at raiſing her woollen manufacturers to a rivalry with thoſe of England. Intelligent Engliſhmen, when they tranſfer their capitals to Ireland, will ſoon diſcover it will be their intereſt to inveſt that capital in the unrivalled manufacture of the country, rather than in the deſperate ſpeculation of underſelling England in the woollen trade.

If then Ireland has a conſiderable manufacture of woollens and mixtures of wool, and will continue to have it whether wool ſhall be permitted to go thither from England or not, we cannot ſuppoſe that an import of wool from this country will induce her to begin what ſhe has already undertaken with ſucceſs. In ſome mixtures of wool ſhe excels; and, I flatter myſelf, will continue to preſerve her ſuperiority; in the fabrics of wool and mohair, wool and ſilk, poplins, tabinets, bombazeens, luterines, and many others, ſhe ſurpaſſes all other countries. Her frizes were reckoned the beſt. There are articles enough in which ſhe may occupy herſelf, without interfering with, or prejudicing England, and the ſuperiority of the manufactures of the latter country, ſecured by many advantages, will prevent her from being rivalled in thoſe in which ſhe now excels.

Should Ireland import, at a great expence of carriage, &c. any conſiderable quantity of our coarſe wool, it cannot be admitted that ſhe is likely to rival Great Britain at foreign markets, in manufactures made of that wool: I have mentioned the coarſe wools of England, becauſe the fine wools of the ſouthern parts are not ſo neceſſary to Ireland, whoſe general conſumption is of the coarſer fabrics. She is moſt in want

of

of combing-wool, of which England has great abundance. Ireland has grown, and may grow more of the finer wool. She can raiſe wool cheaper at home than ſhe can import from England, although I conceive it will anſwer better to raiſe cattle, eſpecially as ſhe may import the Portugueze, and the inferior kinds of Spaniſh wool, which will anſwer her purpoſe, and are cheaper than the fine Engliſh wool.* The increaſe of tillage does not neceſſarily decreaſe the number of ſheep, becauſe the introduction of turnips, artificial graſſes, &c. under an improved agriculture, more than makes amends for the decreaſe of paſture land. When I examined this ſubject fifteen years ago, the number of ſheep in Ireland ſeemed to be on the increaſe. It is probable that fine wool may have decreaſed there, but coarſe wool certainly has increaſed. She will not ſupply herſelf with fine cloths, and ſurely will never vie with England at the foreign market; in the coarſer fabrics, where the raw materials bear a greater proportion to the whole value, than in the finer, if that bulky article is to come from England charged with the expence of carriage, freight, commiſſion, &c. The wool exported from the weſtern ports of Scotland may go to Ireland, if a better price can be had there than at Liverpool.

England underſells all the world in thoſe woollen articles which ſhe now manufactures; in reſpect to the finer fabrics it is only neceſſary to obſerve, that ſhe underſells not only other countries, but Spain herſelf, even in the manufacture of Spaniſh wool, for which ſhe pays an high price. She will continue to ſupply a large quantity of woollens to Ireland, and the ſupply will increaſe with the population of that country, which does not, as already obſerved, raiſe wool enough to clothe its own inhabitants; neither will it anſwer to them to employ their rich paſtures for that purpoſe.

Some curious arguments have been uſed to ſhew that the carriage of wool from different parts of England to Yorkſhire, is as expenſive as the carriage of the ſame would be to Ireland: and thoſe who aſſert it, illuſtrate their opinion by

* Ireland has a great trade with Portugal, from whence England has lately received a conſiderable quantity of wool. She may import wool from thence with as much advantage as England. Portugueze wool has been imported here, to rival the South Down wool, and has been ſold at 21d. per pound. It is ſtated in the evidence, that Portugueſe wool ſells from 1s. 6d. to 3s. per pound. Ireland has hitherto imported the greater part of the Spaniſh wool uſed in her manufacture from England.

ſtating the expence of carrying wool the extreme diſtance, namely, from Exeter to Hull, and from thence by inland navigation to Leeds, and then compare and calculate the ſhort diſtance of Ireland from Exeter, although little wool is ſent from thence to the north. The truth is, the quantity of wool of the ſouthern and weſtern parts of England, namely, from Suſſex, Somerſetſhire, &c. which goes to Yorkſhire, is not great; it is principally employed in the finer fabrics of the ſouth-weſt of England. I have already obſerved, that the inferior wools of Spain will anſwer the purpoſe of the Iriſh manufacture; but the fine wools of Glouceſterſhire, Herefordſhire, Shropſhire, and many other parts of England, will go, by inland water carriage, at much leſs expence to Yorkſhire than to Ireland: and above all, the coarſe and bulky wools of Lincolnſhire and Leiceſterſhire, and of the midland and northern parts of England, will go at infinitely leſs expence to Yorkſhire than they can to Ireland.

I muſt now notice an ungrounded aſſertion, that the growth of wool in Great Britain is not ſufficient to ſupply the manufacture, and therefore, if ſuffered to go out of the kingdom, the manufacture muſt ceaſe in proportion to the quantity exported. Certainly there has been lately a great demand for all kinds of wool: but it does not follow from thence that we do not uſually grow as much as we want, except the quantity of Spaniſh uſed in certain manufactures. It is demonſtrable, that we have always had enough, generally more than enough; and it by no means appears that we have not a ſufficiency at preſent, on the contrary, it might be ſhewn that we have plenty, if it were not proved by the late fall in the price. In 1792 there was a greater demand than at preſent, according to the evidence before the Committee, and as great a cry of ſcarcity, but it appeared next ſpring there was a great redundancy of wool on hand.

If it were true that we have not generally ſufficient wool for our own uſe, I ſhould anſwer, that the increaſe of wool had been checked by laws which diſcouraged the growth of it: that the growth of an article always increaſed with the demand; and that the preſent price, if ſteady, would promote more attention, produce a greater quantity, and ſecure a better quality of wool. But it is obvious that we do not regularly conſume the whole of the wool grown in England. And as to the argument, that accumulations of redundancies ſo highly diſcouraging to the growth of wool are neceſſary to the manufacture,

manufacture, I cannot diſcover in it, either truth, reaſon, or modeſty.

During the laſt thirty years wool has frequently been a mere drug, and even within a few years many farmers have been obliged to keep their wool two or three years, becauſe, in conſequence of there not being a demand for it, the price was extremely low. Inſtead of its progreſſively riſing in value, as has been ſuppoſed, the price of the South Down wool has even in the laſt ſeven or eight years varied from 45s. to 64s. per tod of 32lbs.; and it is well-known, particularly in Lincolnſhire and Leiceſterſhire, within the laſt thirty years, that wool could ardly be ſold at any price: it has been even as low as from three to five pounds per pack of 240lbs.

It may alſo be demonſtrated, that the growth of wool is greatly increaſed in England, and even in conſequence of incloſures, which erroneouſly were ſuppoſed to diminiſh the quantity; but the growth of fine or ſhort wool has by no means increaſed in proportion to that of the coarſe or long wool. and perhaps has hardly had any increaſe except on the Suſſex South Downs, and in diſtricts where the ſheep of thoſe Downs have been introduced, and a few other places; but I ſhould conceive that the greater profit which ariſes from the heavy carcaſe of the long wool ſheep, as well as from the weight of wool, may have introduced that breed where ſhort or fine wool was before grown.

The moſt eſſential incloſures which have taken place in England were open arable land, particularly in the midland counties of England, where comparatively few ſheep were before kept. A large proportion of that land has ſince been laid down, and now furniſhes natural and artificial graſſes in abundance, maintaining a great number of ſheep, particularly in Leiceſterſhire, Northamptonſhire, Warwickſhire, and ſeveral other counties.—In the caſe of poor commons or waſte lands incloſed, a tenth part of them, when cultivated, will maintain a much larger quantity of ſheep than the whole maintained before, and of a good kind. Thoſe kept on commons were in general a bad breed, the wool of which, though commonly reputed fine, was of a much inferior quality to what it was ſuppoſed to be: and it is well-known that the wool of ill-fed and neglected ſheep becomes of a hairy thread, and that the quantity produced is comparatively inconſiderable. Wool grown on a common is always ſold lower than paſture wool of an equal quality.

I ſhould obſerve, that the common notions of coarſe and

fine wool are very incorrect, eſpecially when thoſe terms are applied as diſtinctions between combing and clothing wool, in the qualities of both of which kinds there is great difference. The animals that produce them are as diſtinct as the water-dog and the greyhound in reſpect to their covering; and the fineſt down or paſture in the world, although it might diminiſh the quantity, would not render the coarſe long wool of the Lincolnſhire or Leiceſterſhire breed ſhort and fine like the South Down wool; nor would the richeſt paſture render the latter of the ſame ſtaple as the Lincolnſhire. Rich paſture will increaſe the weight of the fleece of our ſhort wool ſheep: it may lengthen the thread, but it will not give the harſh and hairy quality of our coarſe-woolled ſheep.

If we may judge from the Cuſtom-houſe accounts of the import of wool into Ireland, ſhe does not ſeem to want a large quantity; for, on an average of the laſt three years, the whole does not exceed in value more than 5130l. But if an increaſed demand ſhould raiſe the price, in this country we know it would encourage and increaſe the growth; and a ſmall additional price on the wool could not eſſentially raiſe the value of the manufacture, as from one pound and one-fourth to two pounds of wool is ſufficient to make a yard of cloth. A ſteady good price for wool would ultimately be highly advantageous to the manufacture, as well as to the country. The quality of our wool has been greatly debaſed, by the limitation of the price to that which thoſe who have the monopoly may chooſe to give; the bad principle in queſtion exiſts in no other inſtance: and in conſequence of laws and prejudices which firſt took place when we had no good principles of manufacture or commerce,* wool does not bring its intrinſic value; of courſe there was not proper attention paid to that article; and the coarſe or long wool has been found more profitable, although, from the limitation of

* We muſt not admit the aſſertion of the declaimers againſt the export of wool, that the principle of prohibition exiſted in our laws from the earlieſt time; and they mention the good times of Elizabeth, during which long reign no law paſſed on the ſubject. They can hardly be ſo ill-informed as not to know that a duty on the export of wool furniſhed the principal branch of revenue in this country; that the exportation was firſt checked in 1337, which laſted a ſhort time; it was permitted to go to certain ports abroad, and a chief object ſeemed to be to prevent the exportation without paying the King's duty. We find large quantities were exported till 1439, when the exports were reſtrained to the ports of Calais, Catalonia, and Italy. It continued to be exported in great quantities to the Low Countries till 1630, when its exportation was forbidden; but it was never ſtrictly prohibited till after the Reſtoration, and ſtill more ſtrictly by the Act of 1696.

the

the price, and the great abundance of the article, it has been ſo low as I have deſcribed. The average weight of the ſhort wool fleece is little more than 2lb. the weight of long wool is known to have amounted to 30lb. but 10lb. is rather an high average; the quantity, however, much more than makes amends for the quality, independent of the weight of the carcaſe. It is avowed by the growers of long wool, that, on account of the impoſſibility of getting a price that will pay them for a fine quality, their whole object is to increaſe the weight, that being the only principle by which they can gain. The increaſed price of wool within a few years, although it has not been ſteady, has encouraged the wool-growers; and lately efforts have been made towards the amelioration of the clothing-wool, and that increaſed price has produced an examination and a competition which has been beneficial; but while the injudicious limitation of price through the monopoly exiſts, there can be no dependence on due encouragement, nor foundation for that ſpeculation which is the parent of improvement.

The firſt perſon in theſe kingdoms has condeſcended to attend to this ſubject, and, through his zeal for the public good, the fineſt woolled ſheep of the world have been introduced among us; and it ſeems to be proved, that as fine wool as we uſually procured from Spain, fine enough to anſwer all our purpoſes, may be raiſed in this country. It has been ſold here at as high a price as the beſt Spaniſh wool; and no complaints were made by the purchaſers reſpecting the quality, although the price of Spaniſh wool at our market is from 3s. 6d. to 4s. 6d. per lb.* and it ſold laſt year even at 5s. 6d. per

* In conſequence of his Majeſty having imported Spaniſh ſheep, I have been enabled to make ſeveral experiments in the breed of Spaniſh and the beſt Herefordſhire and South Down ſheep, and I ſucceeded in reſpect to the quality of the wool. I found the wool of the Spaniſh breed, which had been nineteen years from Spain, and had been two years in my park in Suſſex, retained its quality ſo well, that it appeared as perfect as the generality of ſamples I had ſeen from Spain; but as I could not get the intrinſic value, nor even more than the South Down price, it could not anſwer to me to ſacrifice the carcaſe, and to prejudice the ſhape of my flock, by mixing them with any other breed, far leſs by introducing the entire breed of Spain or of Herefordſhire, which, in the eſtimation of the county, is not ſo good as the beſt South Down. Woolſtaplers, however, have ſaid, that the wool I ſhewed them was worth 3s. 6d. per pound (I do not mean the wool of the whole flock); but as it was not worth while to make it a principal object, I have never but twice received ſo much even as 2s. per pound for wool. The flock is of the beſt South Down kind I could breed. I find the wool does not become coarſer in a park which is fed cloſe; on the contrary, it is of

per lb. A large ſum might be ultimately ſaved* which is now paid to foreigners for wool, and the manufacture ſupplied at a lower price.

We have been told that the growth of wool in England forty or fifty years ago amounted to 700,000 packs, but now that it does not exceed 600,000.† I am little ſatisfied with theſe kinds of calculations; but I muſt obſerve, that, in their eagerneſs to aſſert a decreaſe in the growth of Britiſh wool, the manufacturers have ſhewn no great attention to facts, even to thoſe they have ſtated themſelves. They introduced in their evidence an account of cloths milled in the Weſt Riding of Yorkſhire; from whence it appears, that forty years ago the quantity of cloth milled, namely,

	Broads.	*Narrows.*
In 1760 was	49,362 pieces	69,573 pieces.
In 1799	272,755	180,168

nearly ſixfold increaſe in the broads, and nearly threefold increaſe in the narrows. Or, on an average of three years following the laſt peace, and ending 1786, the number of pieces milled were,

Broads.		*Narrows.*	
Pieces.	*Yards.*	*Pieces.*	*Yards.*
151,363	4,624,721	118,187	3,434,238;

and the average of three years ending 1799 inclusive.

242,068	7,725,280	161,814	5,687,079

The increaſe is 74,039 pieces, or 3,100,559 yards, of broads; and 43,627 pieces, or 2,252,841 yards, of narrows: which increaſe, in fourteen years, is conſiderably more than the whole quantity milled in 1760.

This increaſe is calculated only on that kind of the manufacture made of clothing wool which goes to the fulling-mill

of a ſofter and better quality than on the South Downs, the ſoil of which, being chalk, is ſuppoſed to give it a certain harſhneſs. I have during ſeveral years worn cloth made of wool grown in my park, and in reſpect to appearance it is not diſtinguiſhable from cloths made of Spaniſh wool: but woollſtaplers will generally only afford the price they have been uſed to give for Engliſh wool; therefore it does not anſwer to a farmer to aim at any other than the fleece of the country.

* The Cuſtom-houſe value of Spaniſh wool, at 3s. 6d. per pound imported, on an average of three years ending January 1797, was 621,423l.

† It is ſtated in the evidence, that the wool grown in Britain ſells for ſix millions ſix hundred thouſand pounds per annum, and is increaſed by being worked up into manufacture, ſome ſorts rather more than double, ſome nine times or even more, and the average increaſe above three times; that the manufacture, then, ſells for 19,800,000l.; that four-tenths of it is exported, and ſix-tenths conſumed at home.

in the Weſt Riding of Yorkſhire; and it does not appear that manufactures of the ſame kind of clothing-wool have materially declined in other parts of England ſince 1786. It is ſuppoſed the manufactures of combing-wool have increaſed in quantity, although not in value, nearly in the ſame proportion as thoſe of the clothing-wool. Mr. Wm. Huſtler, in his evidence, ſtates the increaſe in value of the woollen manufacture of England, in the ſhort period of nine years, to be 5,000,000l.; that is, in 1782 it was eſtimated at 14,000,000l. and in 1791 at 19,000,000l.

I muſt now aſk, if there had not been a great increaſe in the growth of Britiſh wool, with what materials could there have been ſuch an extraordinary increaſe of the manufacture within forty years, namely, ſince 1760? The import of wool then was, 1,158,840lbs. On an average of three years ending 1786,* 2,097,521 On an average of three years ending 1799, 3,995,887lbs.†

Much the greater part of this wool, which was moſtly imported from Spain ‡ or Portugal, is employed in the woollen manufactures of the Weſt of England, which, during the laſt twelve or fourteen years, ſeem to have revived through the introduction of machinery, the uſe of which, however, in conſequence of the clamours of the manufacturers, is not ſo complete there as in Yorkſhire. A conſiderable part of the increaſed importation of Spaniſh wool is employed in kerſeymeyres and in other fine woollen goods, and in mixtures of wool, ſilk, and other articles, the manufacture of which has been eſtabliſhed ſince the year 1760. The quantity is not comparatively great which is employed in making thoſe kinds of cloth which undergo the operation of the fulling-mill in the Weſt Riding of Yorkſhire, and conſequently did not go far towards the ſixfold and threefold increaſe of thoſe cloths, as above ſtated.

Great apprehenſions are expreſſed that wool, if allowed to go to Ireland, would be ſmuggled through that country to foreign parts; and the old ſtory is revived, that the French cannot work up their wools without a conſiderable quantity

* Woollens exported from Great Britain in 1786 - - £.3512,847
Of which was exported from Scotland - - - 83,041
† On ſame average Spaniſh wool was re-exported in value - £.15,532
‡ On an average of three years ending 1799, the quantity of wool
imported from Spain was - - - - 3,952,193
From elſewhere - - - - - 43,694
3,995,887

of

of Engliſh. I have within a few years ſeen ſome of the principal manufactories of Normandy, Luxemburgh, Limburgh, and other countries, and I am perfectly ſatisfied that good cloth is made in thoſe places without any mixture of Engliſh wool, and that inferior Spaniſh and other wool may be purchaſed cheaper than Engliſh fine wool may be had there, charged with the heavy expences and riſk which muſt attend ſmuggling. If it can anſwer to ſmuggle wool to foreign countries, it muſt be the ſoft long combing-wool, the bulk of which will add to the difficulty. It is known that wool is not now ſmuggled from Ireland; the home market, ſince the prohibitions have been taken off, has been ſo high, that no foreign market can afford to pay the additional expence of ſmuggling, which has been computed at 6d. per pound. And it is generally underſtood, that when wool is above 10s. per ſtone in that country, it will not anſwer to ſmuggle it. I obſerve the preſent Iriſh Cuſtom-houſe valuation of wool on export is 10s. 6d. per ſtone. It is difficult to give an average value of an article which varies ſo much in quality and price; but I have already mentioned that one ſhilling per pound may be conſidered as nearly the average.

The ſcarcity produced by an extraordinary demand of wool is conſtrued by the manufacturers into a decreaſe in the growth of that article, and they ſuppoſe the killing of ſheep under two or three years old has reduced the number; which is by no means the caſe: the land muſt be ſtocked, and the quantity of wool muſt be the ſame. The increaſed price of ſheep, and the demand for the South Down breed, have induced ſome farmers to change from a wedder flock to a breeding flock: if there were any decreaſe from the circumſtance alluded to, the improvements in agriculture, and a more general introduction of turnips, rape, and artificial graſſes, have enabled the farmers to increaſe their ſtock of ſheep ſo conſiderably that there can be no doubt, on the whole, it much more than makes up for the ſuppoſed decreaſe by killing ſheep under two or three years old.

The manufacturers have expreſſed in their evidence great tenderneſs for the landed intereſt on the ſubject of the poor rates. I wiſh to conſider the landed and commercial intereſt as the ſame; but I know that the rental of England, partially raiſed in ſome diſtricts by the eſtabliſhment of manufactures, would be nearly one-third greater than it is if not kept down by an enormous poor-tax, which almoſt entirely falls on the land, a very ſmall part being paid by the trading part

part of the community, as perſonal property, though liable according to law is not rated to the poor. But it is hardly fair to quote the poor-rate at a time of the greateſt ſcarcity ever known. The failure of manufactories has certainly raiſed that rate in ſome places; but it can only be ſuppoſed to have that effect for a limited time, until the families in diſtreſs ſhall have occupied themſelves in ſome other buſineſs.

The caſe of Bocking in Eſſex, in particular has been mentioned. It was not merely the neglect of machinery that occaſioned the removal of the manufactures of that place, but the expence of fuel and of other articles. It is well-known that manufactures remove from places where there is a ſcarcity of fuel, and ſettle in diſtricts where it is plentiful. The woollen manufacture was firſt eſtabliſhed in London and its neighbourhood *; but it long ſince moved to the weſt and to the north, where there was generally the greateſt abundance of coals. The cheapneſs of fuel, however important, is not always abſolutely neceſſary, as the difference in the price is ſometimes more than compenſated by other advantages; and there are thriving manufactures of wool in England, where coal is not comparatively cheap, and even where there is no coal.

I have much pleaſure in obſerving that there are no petitions on the part of other manufacturers. I believe indeed they have little or nothing to apprehend; and I alſo believe, that their patriotic attention to the general welfare of the Empire prevents them from bringing forward any ſelfiſh narrow objections. The good ſenſe of the country ſees that the meaſures of Union is neceſſary, in which light I have always conſidered it; and I ſhall be happy indeed when the arrangements ſhall be completed, by removing all diſtinc-

* It moved into Surry, Kent, Eſſex, Berkſhire, Oxfordſhire, &c. and afterwards to Worceſterſhire, Glouceſterſhire, Wiltſhire, Somerſetſhire, Dorſet, and Yorkſhire.

In 1331, Edward III. encouraged ſeventy Flemiſh families to ſettle here, who taught the Engliſh to make and dreſs fine woollen cloths; before which time the manufacture was in a rude ſtate. About 1337 reſtrictive laws in the manufacturing towns of Flanders, and great tumults, induced many of the people to take ſhelter in England. In 1567 the perſecutions and wars in the Low Countries drove great numbers hither, who firſt introduced the manufacture of baizes and other ſlight woollen goods (then called new Drapery) at Canterbury, Sandwich, Maidſtone, Colcheſter, Norwich, Southampton, &c. The manufacture of fine woollen cloth was not eſtabliſhed in France till 1646.

tions between the two countries, and every idea of ſeparate and jarring intereſts. This will not be the caſe until all cuſtoms, duties, drawbacks and bounties ſhall ceaſe, and the two iſlands ſhall be on the ſame footing as two counties in England. The great object to be obtained is a free intercourſe; that liberal principle is the baſis of the Union between the two countries; yet it requires time, though of no great length, for a meaſure of ſuch importance, and is impracticable perhaps during a war.

I truſt that it will appear from what has been obſerved, that the woollen manufacturers of Great Britain ſhould not be alarmed by the expectations of Ireland, nor by any temporary advantage Ireland can derive from importing large quantities of wool, even if ſhe can afford it, before the commercial arrangements between the countries can be completed; and however we may doubt as to permitting a general export to all parts, there can be little ground to object to the limited quantity that could be exported to Ireland, at a time when a redundancy may happen to lower the value beyond what is reaſonable. There is no ground to apprehend that the export of the quantity of that kind of wool which ſhe wants, and can afford to take, will be ſo conſiderable as to affect the Britiſh manufacture. I have already obſerved, that a great demand would raiſe the value beyond her price; at the ſame time there would be an harmleſs and ſmall conceſſion in reſpect to a monopoly that now exiſts againſt the wool-grower and the conſumer, which would help to remove well-grounded complaint, and a tendency to conſider the landed and commercial part of the community as having ſeparate or oppoſite intereſts. A free trade in wool to Ireland might prevent the price from falling ſo low as eventually to debaſe the article; yet I do not believe it would raiſe the price higher than it is at preſent, which is perhaps ſufficient, though not too much, to engage that attention which will bring it to perfection. Politically conſidered, the advantage to the Empire is the ſame wherever a manufacture ſucceeds, and the woollen manufacturers of the ſouth of England might as reaſonably petition that the fine wools of thoſe parts of the kingdom ſhould not go to the manufacturers of the north, as the latter now petition that wool ſhould not be ſent to Ireland when ſhe becomes a part of this country. The greater part of the cotton wool uſed in Ireland goes through England. The cotton manufacturers of this country might as juſtly object to its being permitted to paſs from

from hence to Ireland. However that permiſſion has not hurt our cotton works. Ireland has the cotton charged with extra expence, as ſhe would have Britiſh wool. I truſt it alſo appears that the growth of wool in Great Britain has increaſed, and is fully ſufficient to ſupply the manufactures; and that the apprehenſions are perfectly groundleſs, that great quantities of Britiſh wool will, under all the circumſtances, be conveyed to foreign parts through Ireland, charged with expences that would double the price. On the whole, I aſſert that Ireland will be benefited, and Great Britain not prejudiced. On the contrary, their manufactures and commerce will derive great advantage from a free intercourſe and the increaſing wealth of Ireland.

Some perſons ſeem not to be ſenſible of the great aſcendancy of our manufactures, and to ſuppoſe that the woollen trade depends principally on having wool at a price unreaſonably low. But that paramount manufacture moſt ſurely cannot be overſet by the temporary indulgence in queſtion: We are in this inſtance embarraſſed by the intention to repeal a prohibition which never ſhould have taken place; but theſe difficulties would not have occurred, if there had been no alteration in the commercial intercourſe between the two countries, until the arrangement could have been completed, by the removal of all duties between them. The manufacturers of the North very liberally acknowledge, that although they might ſuffer ſome partial prejudice, they could not have objected, if the trade between Great Britain and Ireland were, as it is intended to be, perfectly free, and on the ſame footing as between England and Scotland. Ireland poſſibly would not have been ſatisfied; but ſhe could not *reaſonably* have objected to its remaining ſo, as almoſt the whole of the exports from Ireland to England are entered duty free, and the principal exports from England to Ireland are liable in entry to a duty of ten *per cent.* on the value. The mode propoſed by the reſolutions is a ſuſpenſion of a part of the meaſure. If the commercial intercourſe had remained as it is, until all duties could be removed, it would alſo have been only a ſuſpenſion: It would have been more ſimple, and all the intricacy of the ſyſtem of drawbacks equal to countervailing duties payable on import, the accounts of duties and charges, &c. would have been avoided. But whether this was practicable or not, I cannot ſay: it ſeems not to be of great conſequence for the time in queſtion, and I cannot diſ-

cover any miſchief likely to ariſe from the reſolutions as they now ſtand.

I have on a former occaſion given my opinion on the principle and the neceſſity of this great meaſure of Union: The longer I reflect, the more I am convinced of the commercial and other advantages which will be derived from it. As an Iriſhman, I am highly gratified by the liberality of giving the turn of the ſcale, in almoſt every inſtance, to the weaker country, which was more neceſſary than perhaps appears to thoſe who have not attentively conſidered the ſtate of the manufactures in that kingdom: as an Engliſhman, I am ſatisfied with that part of the arrangement relative to which I confeſs I was moſt anxious, and which appeared to me the moſt difficult, namely, the mode of ſettling the repreſentation in Ireland. My difficulties on that head are removed by the ſtrict attention that has been paid to every circumſtance that could preſerve the independence of Parliament. Sixty-four of the hundred members are to be ſent from counties, and the remainder from the Univerſity, the Cities, and principal Towns; and the Peers are to be elected for life.

Some clouds which in the early ſtages of this meaſure threatened its ſucceſs, have diſappeared. It now draws towards a concluſion with ſo happy a proſpect, that I feel relieved from great anxiety. When the arrangement ſhall be completed, I ſhall enjoy more ſatisfaction from it than I have ever done on any other public occaſion; and while ſome triumph in our ſplendid victories, and in thoſe of our allies, I ſhall conſider this great event with abundantly more ſatisfaction than I could any conqueſt, however brilliant, achieved even againſt our moſt inveterate foes.

HOUSE OF LORDS.

MONDAY, MAY 12.

Lord *Eldon* ſat on the woolſack for the Lord Chancellor, the latter being laid up with the gout.

The cauſe of appeal, the Marchioneſs of Titchfield verſus Dunbar, was put off till Friday next.

The Earl of Galloway's appeal was adjourned to Friday next.

The order for the commitment of the bill reſpecting adultery and divorce, which ſtood for the next day, was diſcharged, and a new order made for Friday.

The bills on the table paſſed a ſtage each. Adjourned.

HOUSE

HOUSE OF COMMONS.

MONDAY, MAY 12.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the bill for extending the powers of the overſeers of the poor, and ſeveral private bills, without amendment.

A bill for empowering the heirs of the late Lord Pigot to diſpoſe by lottery of the celebrated diamond brought by that nobleman from Bengal, was read a firſt, and ordered to be read a ſecond time.

Sir *J. W. Anderſon* brought in a bill for the better regulation of the drivers of carts in the cities of London and Weſtminſter. Read a firſt time, and ordered to be read a ſecond time that day ſe'nnight.

The Scots ſmall debt bill was read a third time and paſſed.

Mr. *Abbot* gave notice, that on Monday next he would move for leave to bring in a bill for the more effectually charging public accountants with the payment of intereſt.

Lord *Hawkeſbury* appeared at the bar, and informed the Houſe that he, together with the other deputies appointed by Parliament for that purpoſe, had preſented the humble addreſs of both Houſes, relative to the Iriſh Union to his Majeſty at Windſor. His Lordſhip then read the gracious anſwer his Majeſty was pleaſed to return, in which he ſays, that he received the addreſs with the moſt heartfelt ſatisfaction, as it promoted a meaſure, on the ſucceſs of which, the peace and proſperity of his two kingdoms depended; and that he would immediately communicate the reſolutions to the Iriſh Parliament.

Mr. *Wallace* moved, that the accounts preſented to the Houſe ſtating the quantity of coals exported from the different ports of Great Britain during the laſt ten years be referred to the Committee appointed to enquire into the cauſes of the high price of coals. Ordered.

Mr. *Tierney* moved, that the accounts preſented on the 11th of February laſt by Mr. Bedford ſhould be printed. Ordered.

The 38th of George III. cap. 3, being read upon the motion of Mr. Roſe, the Houſe was ordered to reſolve itſelf the next day into a committee of the whole Houſe, to conſider ſo much of the ſaid act as impoſes a duty upon opium.

Mr. *Roſe* intimated that his right hon. Friend did not mean

mean to make his promiſed motion relative to the income tax till Wedneſday.

Mr. *Tierney* gave notice that he would defer till Monday making his motion on the ſame ſubject.

The order for the third reading of the hackney coach bill being read, ſeveral additional clauſes were brought up and agreed to.

The bill was then read a third time and paſſed.

The bill for repealing the duties now payable on ſugar and coffee exported, was read a ſecond time and ordered to be committed on Thurſday.

The order of the day for the Houſe to reſolve itſelf into a Committee of the whole Houſe, to take into further conſideration his Majeſty's moſt gracious meſſage was poſtponed till Wedneſday.

Mr. *Nicholas Vanſittart* brought up the report of the Committee appointed to conſider the ſtate of the Britiſh herring fiſhery, which was ordered to be taken into conſideration that day ſe'nnight, and likewiſe to be printed.

Mr. *Vanſittart* moved, that it be referred to the Committee on the herring fiſhery, to conſider of the moſt effectual means to procure a better ſupply of freſh fiſh during the preſent alarming ſcarcity of proviſions. Ordered.

The hop duty bill was ordered to be committed the next day.

The commitment of the bill for the better regulation of menial ſervants was poſtponed till Thurſday.

The others order of the day were read and deferred. Adjourned.

HOUSE OF LORDS.

TUESDAY, MA 13.

Lord *Eldon* ſat for the Chancellor in conſequence of his Lordſhip's indiſpoſition.

The Huddersfield Canal bill, the Scotch ſmall debts bill, and the hackney coaches duty bill, with ſeveral private bills, were received from the Commons, and forwarded each a ſtage. Adjourned.

HOUSE OF COMMONS.

TUESDAY, MAY 13.

Mr. *Bouverie* obtained leave to bring in a bill for building a new goal in Saliſbury.

Mr.

Mr. *Burdon* ſaid, that as it appeared the ſenſe of the Houſe was againſt the bill for regulating the highways, he would, with their permiſſion, withdraw that bill, and propoſe one leſs objectionable next ſeſſion. The bill was withdrawn.

In a committee on the country bridge bill, the Houſe agreed to a reſolution empowering juſtices of the peace to alter the ſituation of bridges, and to proſecute perſons injuring bridges.

The Houſe in a Committee reſolved that a duty of three per cent. ſhall be henceforth impoſed on opium; and that burr ſtones, and ſtones uſed in paving, ſhall be exempted from duty.

The hop duty bill, and the expiring laws bills went through a Committee.

The clerk of the fees preſented at the bar an account of the fees of the clerk and clerk aſſiſtant of the Houſe, for the laſt ten years.

On the motion of Mr. *Bragge*, the account was referred to a Committee for that day ſe'nnight.

INCOME TAX.

Mr. *Hobhouſe* expreſſed a wiſh that the Chancellor of the Exchequer would defer his motion reſpecting the tax on income till Thurſday next.

The *Chancellor of the Exchequer* ſaid it was by no means his intention to go much at length into the ſubject in the Committee. He merely intended to propoſe certain reſolutions. However, as it appeared ſome accommodation would be given to gentlemen by a day's delay, he would not object to it. The Chancellor of the Exchequer then moved, that the two acts of laſt ſeſſion, impoſing a duty on income, be read. The acts being accordingly read, the Chancellor of the Exchequer next moved that the Houſe ſhould on Thurſday next reſolve itſelf into a Committee of the whole Houſe on the ſaid acts. Ordered.—Adjourned.

HOUSE OF LORDS.

WEDNESDAY, MAY 14.

The cauſe of appeal, the Marchioneſs to Titchfield, appellant, was further put off till the next day ſe'nnight.

The further hearing of the opinions of the Judges on the appeal of Knight v. Halſey, was poſtponed to Tueſday.

Several bills were brought up from the Commons.

Lord

Lord *Eldon* preſented a bill for the relief of perſons veſted with entailed eſtates, which was read a firſt time.

The bills on the table paſſed a ſtage each. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, MAY 14.

Mr. *Mainwaring* moved for leave to bring in a bill for more effectually regulating the trade or calling of pawnbrokers. Granted.

Mr. *S. Thornton* moved for leave to bring in a bill to empower the Governor and Company of the Bank to purchaſe certain houſes contiguous thereto, and to improve the avenues leading to the Bank. Granted.

On the motion of Sir J. Anderſon, the London ſmall debt bill was read a firſt time, and ordered to be read a ſecond time.

The Houſe having reſolved itſelf into a Committee of ways and means, the *Chancellor of the Exchequer* moved a reſolution that the ſum of 226,250l. be raiſed by way of lottery for the year 1800, the lottery to conſiſt of 60,000 tickets at the rate of 13l. 15s. 5d. per ticket. Agreed to, and ordered to be reported.

Mr. *M. A. Taylor* preſented a petition from the principal innkeepers of the city of Durham, praying, that, on account of the extraordinary preſſure of the times, the opulent tradespeople ſhould be ſubject to have ſoldiers quartered on them. Ordered to lie on the table.

Mr. *Wm. Dundas* moved, in a Committee of the whole Houſe, for leave to bring in a bill to enable the Barons of the Exchequer in Scotland, to advance a certain ſum towards the improvement of the harbour of Leith. Granted.

On the motion of the *Chancellor of the Exchequer*, the Committee on his Majeſty's meſſage reſpecting the Union was deferred till Tueſday next.

The expiring laws bill was reported, and ordered to be read a third time the next day.

Mr. *Abbott* moved that there be laid before the Houſe an account of the diſtribution of the extraordinaries of the army for the year 1799. Ordered.

On the motion that counſel be called in and heard upon the Hookham encloſure bill, the Houſe divided,

Ayes - 13 *Noes* - 59

The Houſe then adjourned.

HOUSE

HOUSE OF LORDS.

THURSDAY, MAY 15.

Their Lordſhips heard Counſel in the appeal of Birnie and Co. *v.* Helen Weir, and which was ordered to be further heard the next day at two o'clock.

The bills on the table were read in their reſpective ſtages.

Adjourned.

HOUSE OF COMMONS,

THURSDAY, MAY 15.

Mr. *Mainwaring* brought up a bill for the regulation of pawnbrokers, which was read a firſt, and ordered to be read a ſecond time on Tueſday next.

Mr. *Wm. Dundas* brought up a bill for enabling the Barons of the Exchequer in Scotland to iſſue money for the improvement of Leith harbour. Read a firſt, and ordered to be read a ſecond time on Monday next.

Mr. *Long* ſaid that his right hon. Friend (the Chancellor of the Exchequer, could not attend the Houſe this day, and therefore he wiſhed that the Committee of the whole Houſe for conſidering the Income Act, might be poſtponed till the next day. The order for that day was accordingly diſcharged, and the Committee appointed for the next day.

The report of the vagrant bill was agreed to, and the bill ordered to be read a third time on Tueſday next.

The report of the Committee of ways and means, voting a certain ſum by way of lottery, was brought up, agreed to, and bills ordered.

It was ordered that the Houſe do the next day reſolve itſelf into a Committee, to conſider the duties payable on turpentine and tar.

The bill for ſuſpending the duties on hops imported into this country, together with the glaſs-duty bill, was read a third time and paſſed.

The Committee for conſidering the duties payable on ſugar was deferred till the next day.

The Houſe reſolved itſelf into a Committee on the bill for regulating diſputes between maſters and ſervants, previous to which an order was made, That it be an inſtruction to the Committee to make proviſion in the bill for puniſhing perſons who ſhould undertake to perform certain works, and afterwards neglect or refuſe to pay the labourers employed in performing them; and alſo for ſettling diſputes between

ſuch parties. The Committee reported progreſs, and was ordered to ſit again on Monday next.

On the motion of Sir John Sinclair, the Houſe agreed to the report of the Committee on Incloſure Bills, and then came to a reſolution, that the ſame be communicated to the Lords; and Sir John was ordered to deliver the meſſage.—Adjourned.

HOUSE OF LORDS,

FRIDAY, MAY 16.

A Scotch Appeal, Birnie *v.* Weir, was heard, and the judgment affirmed with coſts.

A great number of Bills received the royal aſſent by commiſſion.

Lord *Grenville* roſe and ſaid, before the Houſe proceeded to any buſineſs, there was a previous and paramount duty for them to diſcharge, reſpecting which there could be but one opinion. Their Lordſhips had doubtleſs heard that an audacious traitor had, the preceding evening, the wickedneſs to fire a piſtol at the ſacred perſon of the King, the contents of which, narrowly, but providentially, eſcaped his Majeſty, or the event might have brought on the nation a diſaſter and calamity, the moſt fatal and the moſt to be deplored of any that could poſſibly be imagined. The impreſſion of the horror that ſuch an atrocious and enormous attempt had been made, muſt be ſo univerſally felt, not only by their Lordſhips, but by the people in general, that he would not weaken its effect by ſaying any thing more upon the ſubject, or circumſtances of it; nor would he waſte the time of the Houſe in diſcuſſing whether ſo awful and alarming an attack on his Majeſty's ſacred perſon was imputable to the moſt baſe and black deſign that could be harboured in the breaſt of any man, or to the heavieſt of all the calamities with which human nature could be afflicted, but would content himſelf with doing that in which he was ſure the whole Houſe would heartily concur, viz. move an humble but affectionate Addreſs of Congratulation on the providential eſcape of his Majeſty, and a declaration of the abhorrence and deteſtation with which that Houſe held any ſuch atrocious attempts upon his Majeſty's ſacred life, with aſſurances of their inviolable attachment, reverence, and regard for his royal perſon.

Lord *Grenville* having read his motion, it was agreed to *nemine diſſentiente*.

A Com-

A Committee was then appointed to draw up the Addreſs, and a meſſage ſent to the Commons to deſire that they would continue ſitting.

The Lords of the Committee having returned with the Addreſs, and the Duke of Clarence, Chairman of the Committee, read the Addreſs with a degree of emotion highly honourable to his feelings as a ſon and a ſubject:

There happening not to be two Maſters in Chancery in the Houſe, who ſhould have been in attendance, after waiting for them a conſiderable time,

Lord *Grenville* moved that the Clerk Aſſiſtant and the Clerk of the Crown be ſent to the Commons to acquaint them that the Houſe deſired a Conference in the Painted Chamber.

Mr. *Cooper* (the Clerk Aſſiſtant) on his return to the Houſe informed their Lordſhips that they had delivered the meſſage, and that the Houſe of Commons would return an anſwer by a meſſenger of their own.

In a few minutes after the Commons ſent word by Lord Hawkeſbury and others, that they were ready in the Painted Chamber, whither his Royal Highneſs the Prince of Wales, the Duke of York, the Duke of Clarence, Earl Spencer, the Biſhop of Rocheſter, the Earl of Weſtmoreland, Lord Auckland, and other Lords appointed Managers for the Lords, repaired, and ſoon returned, when the Prince of Wales made the report of what had paſſed at the Conference, and in a ſhort time the Addreſs was brought back by Lord Hawkeſbury, and other Members, the Commons having filled up the blank, and concurred in making it a joint Addreſs of both Houſes.

The Lords with white ſtaves were then directed to wait on his Majeſty, to know when his Majeſty would be pleaſed to receive the ſaid Addreſs.

DIVORCE AND ADULTERY BILL.

Lord *Auckland* ſaid, that filled as his mind was with the ſtrong impreſſion made upon it by the awful event which had occaſioned the Houſe to vote the Addreſs juſt agreed upon, he did not feel himſelf at all diſpoſed to go into a length of diſcuſſion, or debate on any other buſineſs; he would, therefore, merely ſtate, that with regard to the Bill, which ſtood in the Order Book for commitment that day, he would leave it wholly to the diſpoſal of their Lordſhips; but as it was intended to propoſe great and important additions to the Bill, he had been induced to form a new Bill, that it might paſs

through all the ſtages of parliamentary diſcuſſion, and that he held in his hand a new Bill upon the ſame ſubject, containing additional clauſes, calculated to remove the objections that ſome noble Lords had felt againſt the former Bill, and which clauſes he conceived could not occaſion any oppoſition. He ſaid he would ſtate the whole of his intention of the line of proceeding, which noble Lords muſt allow to be candid and fair. He ſhould have the Bill read a firſt time then; and he hoped the Houſe would have the goodneſs to meet at an early hour the next day, merely that the prints of the Bill might be put upon the table, meaning to move for the ſecond reading on Monday.

The Bill was read a firſt time, and Lord Auckland moved that it be printed. This gave riſe to a long and deſultory debate.

The *Duke of Clarence* with great warmth reprobated the Bill, as an innovation of the eſtabliſhed law of the land: and, before the Houſe conſented to a change of the law, eſpecially that part of the law which ſo eſſentially concerned the domeſtic happineſs, morals, and religion of the people, he implored their Lordſhips to pauſe and call to their recollection the good effects which had been derived by the people from thoſe excellent laws, which not only ſecured the perſonal liberty and property of the ſubject, but were the admiration and envy of all Europe. He knew not, his Royal Highneſs ſaid, whether he was in order or not in oppoſing the Bill in that early ſtage; but he muſt oppoſe the printing it, and ſhould be highly pleaſed if they were to hear no more about it: at any rate, he thought it ought not to be hurried on, but that the noble Lord would have the candour to be contented with barely moving that it be printed that ſeſſion, and wait till the next before he agitated it further, when they might be able to aſcertain what were the feelings, the opinions, and ſenſe of the people at large reſpecting it.

The *Biſhop of Rocheſter* ſaid, he entertained the ſame favourable opinion that he had entertained of the former Bill, with, however, additional force in conſequence of the additional clauſes, which rendered the meaſure more ſalutary and complete. With regard to its changing the law of the land, which the illuſtrious Duke had imputed to it, in his mind the illuſtrious Duke was miſtaken; it was not a change of the law to ſuperadd new puniſhments for old crimes; and the crime of adultery is as old a crime as the law of England,

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as to waiting to know the ſenſe of the people at large, he knew not where the ſenſe of the people was conſtitutionally to be collected but in the two Houſes of Parliament.

Lord *Rawdon* (Earl of Moira) ſaid he had ſat ſilent when the former Bill was debated, becauſe he had heard ſuch very able arguments againſt it from a noble Baron, then ſitting near him (Lord Mulgrave), that he thought it unneceſſary for him to detain their Lordſhips with any thing he could ſay upon it at that time. Now, however, that the ſame Bill was introduced in a new form, he muſt expreſs his total diſſent from that part of it which ſtood in the former Bill. viz. the clauſe interdicting the Lady who might be betrayed by the arts of her ſeducer into a forfeiture of her honour, and an alienation of her affections from her huſband, from having the only atonement that could be made her, an union with her ſeducer; and the laſt clauſe, by which their Lordſhips would tie up their own hands, and be deprived in future of the privileges of free debate on the ſubject of Divorce Bills. His Lordſhip denied the right of the Houſe thus to deprive the future Parliaments of the full and free exerciſe of their deliberative and enacting rights, and argued againſt theſe two clauſes at great length. He concluded with moving that the Bill be rejected.

The *Earl of Guildford* ſupported this motion, and expreſſed ſome ſurprize at the right rev. Prelate's having ſaid that the Bill operated no change in the law of the land; it merely ſuperadded new puniſhments for old crimes. It was but in the laſt debate on this ſubject, that he had heard from a very high authority, that of the noble and learned Lord then upon the woolſack, that adultery was no crime by law, and that it was only a *civil treſpaſs*. His Lordſhip ſaid, that the crime of adultery was undoubtedly as old as the law of England, and he feared much older. He was however confirmed in the opinion that he had ſtated to their Lordſhips in the former debate, and therefore would vote for the amendment, though he had no objection to the new clauſes, but thought that with ſtudy and attention in the Committee, they might be ſo amended as to be made uſeful.

The *Biſhop of Durham* repeated the arguments he had ſtated in ſupport of the former Bill, and contended that the preſent Bill, eſpecially the clauſes which had been objected to, would put married women upon their guard againſt any attempt of a ſeducer, by warning them beforehand of the conſequences they

they would entail on themſelves if they deviated from the path of virtue. His Lordſhip complained of the frequent perſonal appeals made to the reverend Bench as invidious and improper, and expreſſed a wiſh that ſuch appeals might not continue to be made in future. He concluded with declaring that he ſhould vote againſt the motion.

Lord *Mulgrave* expreſſed his warm approbation of the new clauſes for the puniſhment of the adulterer, declaring that no man could think them other than wiſe, politic, and proper, but as the clauſe to which he had formerly objected was ſtill retained in the new Bill, he conſidered it as an inconſiſtent meaſure, the new clauſes and the old ones being at war with each other. His Lordſhip renewed his attack upon the clauſe to prevent the Lady from intermarrying with her ſeducer, and maintained that ſo far from preventing adultery, it would increaſe the number of adulteries; he ſhould, therefore, ſupport the motion for rejecting the Bill.

Lord *Eldon* left the woolſack, and reminded the Houſe of the opinion he had taken the liberty of ſtating to their Lordſhips when the ſubject was laſt debated. His Lordſhip deprecated the rejection of the Bill, becauſe he was certain, from his profeſſional experience, that nine out of every ten caſes of adultery that came into the Courts below, or to that Bar, were founded in the moſt infamous colluſion, and that as the law ſtood, it was a farce and a mockery; moſt of the caſes being previouſly ſettled in ſome room in the city, and that Juries were called to give exemplary damages, which damages were never paid, nor expected to be paid, by the injured huſband. It was equally a farce and a mockery to bring them up to their Lordſhips' Bar, becauſe the parties took care not to produce the piece of parchment that had been executed between them, or to let the Houſe know one word upon that matter; they were aware, that if they did, the Divorce would not be granted. His Lordſhip declared it was impoſſible to ſuffer the Law to remain in the ſhameful and inefficacious ſtate in which it at preſent ſtood upon the ſubject; and that if family indiſpoſition had not unfortunately prevented the noble and learned Lord, at the head of the common law (Lord Kenyon), from being preſent in the Houſe that day, their Lordſhips would have heard from that noble Lord a full confirmation of the opinion that he had given, of the inefficacy of ſuch legal remedies as could now only be obtained. Another noble Lord, who was likewiſe abſent

abſent from indiſpoſition, Lord Thurlow, he knew to be of the ſame opinion alſo; in ſhort, there was not a profeſſional man of any experience who would not ſubſcribe to it. His Lordſhip re-enforced his argument of the neceſſity of effectually putting a ſtop to the growing crime of adultery, for the ſake of example, and for the ſake of the morals of the riſing generation. He put the caſe of the daughters of wives who had been divorced knowing the conduct of their own mothers which could not but inſpire them with a deſire to imitate the pernicious practice of their parent, and induce them to look forward to the eaſe with which they alſo might get rid of one huſband and throw themſelves into the arms of another. It was an hypotheſis of the law, that as all divorce bills were neceſſarily paſſed with a view to diſcharge the injured huſband from his matrimonial bonds and enable him to marry again, ſo it was an implied and underſtood thing that the divorced wife was not at liberty to marry again.

The *Duke of Clarence*, in a ſpeech of conſiderable eloquence, diſcuſſed in ſucceſſion all the topics drawn into debate by the Noble Lords who ſupported the bill. He recurred to the proceedings on the former bill, and examined with great hiſtorical correctneſs the authorities and arguments adduced by a reverend and learned Prelate (Rocheſter) on a late diſcuſſion in ſupport of that bill. His Royal Highneſs traced the hiſtory of divorce from the period of the Reformation to the preſent day, and contended that the laws paſſed to reſtrain adultery, did not diminiſh the frequency of the crime. The multiplicity of divorces was not a proof of growing vice, and of extending ſeductions, it might as certainly be a proof of the contrary. In retracing the annals of the Reformation, the illuſtrious Duke took occaſion to remind the Houſe, that the German Princes of this family were among the firſt who embraced and aſſerted the tenets of the Proteſtant Religion. Reverting to the queſtion ſtrictly before their Lordſhips, he ſaid, that much and ſincerely as he diſapproved of the conduct and the principles of the ſeducer, yet knowing that the female would be placed by the bill in a ſituation at once diſgraceful and protectleſs, he could not give it his ſupport. Here his Royal Highneſs read ſeveral extracts from a pulpit diſcourſe on the vice of proſtitution, in which there were many paſſages lamenting the condition of the female, who having imprudently and unfortunately ſacrificed her chaſtity to her paſſions, is caſt on the world without friends

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—without protectors—without the means of relieving the moſt preſſing wants—a prey to diſeaſe, pining and writhing under poverty. The diſcourſe recommends compaſſion towards ſuch unhappy females, and declaims againſt the cruelty of thoſe who conſign them to poverty and ſhame. His Royal Highneſs concluded by declaring his hearty oppoſition to the bill.

The *Biſhop of Rocheſter* ſaid, he was ſorry to trouble the Houſe a ſecond time, but called upon, as he had been, by what fell from the illuſtrious Duke, he could not avoid it. He owned it was far from his imagination when he came down to the Houſe that he ſhould have occaſion to riſe in defence of the Biſhop of Rocheſter, and to clear up the charge which the illuſtrious Duke had founded on ſome extracts of a Charity Sermon, preached long ago by the Biſhop of Rocheſter at the Magdalen, with a view to induce the congregation to feel pity for thoſe objects which it was the deſign of that Charity to reſcue from infamy and proſtitution, and contribute to its ſupport. His Lordſhip pointed out the great difference between exhorting an auditory to compaſſionate unfortunate women of a low rank, never connected in a connubial ſtate, but after having been thrown upon the ſtreets in a ſtate of proſtitution, and by charity reſtored and preſerved from the baſeſt ſtate of beggary and vice. But the caſe was ſurely diſtinct between pleading the cauſe of ſuch miſerable beings, and ſupporting perſons in an elevated life, in a profligate breach of the marriage vow, when their education and duty ought to have reſtrained their depraved paſſions. In religion, undoubtedly, there was Chriſtian charity, but in departing from the rigour of the law, in the puniſhment of ſuch a dangerous crime, with a view to the morals of the people, it was a different matter, becauſe the happineſs of mankind depended on it. The Biſhop added other arguments in ſupport of the bill.

The Earl of *Carliſle* ſaid, he thought as ſeveral other noble Lords did, that the clauſe prohibiting the unfortunate woman who had been ſeduced, from marrying her ſeducer, was more likely to miniſter to the crime of adultery than to prevent it; and, though he greatly approved of the new clauſes, he muſt object to that particular clauſe, and hoped it would be left out in the Committee.

Lord *Bulkeley* ſaid a few words, to declare that he felt his mind relieved by knowing that the clauſe in queſtion might be thrown out in the Committee.

Lord

Lord *Auckland* roſe and ſaid, My Lords: It was my earneſt wiſh to have avoided, on this day, the diſcuſſion of a ſubject ſo foreign to that which at the moment engroſſes our minds. I can hardly hope to engage your attention, I ſhall with difficulty command my own, under the recent impreſſions of a danger which has ſtruck us all with horror, and from which the infinite goodneſs of God's providence has alone preſerved us. But the ſpeeches which you have heard compel me to offer ſome obſervations in ſupport of a propoſition introduced by me with every appearance of your general wiſh and ſanction, though I am now to encounter a reſiſtance which comes from quarters were I leaſt expected to find it; and which I the moſt regret, as being certainly reſpectable in rank, character, number, and ability.

Your Lordſhips well remember that, ſome weeks ago, a noble Baron was pleaſed to move you to reſcind a ſtanding order which you had made in 1798, for the purpoſe of preventing colluſion and connivance in caſes of Parliamentary divorce. It happened to me, among many, to differ on that occaſion from the noble Baron, with whom, on moſt other ſubjects, I have been proud to agree. I was led by the courſe of the debate to remark, that, though much benefit had already been derived from the ſtanding order which my noble Friend propoſed to reſcind, the practice with reſpect to Parliamentary divorces was become groſsly and ſcandalouſly objectionable. And I incidentally expreſſed a doubt, to which I have long inclined, whether in caſes of legiſlative divorce, the intermarriage of the offending parties ought not to be prohibited. I farther obſerved, that the acts of Parliament which have been conſtrued to authorize ſuch intermarriages had originally purported to relieve the injured huſband only; that to this day they are ſo worded; and that they had always been ſo conſidered till towards the beginning of the preſent century. And ſurely, my Lords, it cannot be reconciled to the dictates of juſtice, morality, or religion, that an adulterer and an adultereſs ſhall be deemed entitled to a ſpecial interference of the Legiſlature in their favour, and to a ſuſpenſion of the ordinary courſe of law, in order to enable them to complete a contract founded in turpitude:—in other words, that a woman who has violated a ſolemn vow, made by a ſolemn appeal to her Creator, ſhall be authorized by you to exhibit a mockery of Heaven, by a new profanation of the ſame ceremony with the convicted partner of her crime.

I was not ſurpriſed, my Lords, to find that theſe ſenti-

ments, which naturally preſented themſelves to me, were ſanctioned at the moment by your general and warm approbation: they were conſonant to the principles of ſound morality and pure religion, which will always have a due influence on your Lordſhips' minds. You were pleaſed to expreſs your wiſh that I ſhould bring forward ſome meaſure to reſtrain and correct the practice to which I had alluded; and that wiſh ſeemed to have the general concurrence of the Houſe, including even ſome of the preſent oppoſers of the bill now in debate.

Wherefore, my Lords, do I recall theſe particulars? Not to aid myſelf by the impreſſion and weight of perſonal authorities, however reſpectable they may be. I rely entirely on the weight of truth, and on the impreſſion of reaſon. But I am deſirous to ſhew, that I have not had the arrogance to originate a propoſition of ſuch magnitude; I introduced it only in conſequence of an intimation from you, equivalent in my judgment to an order.

Nor is it this proviſion alone which I may aſſert to have been in fact the meaſure of the Houſe. My noble and learned Friend who prepared the additional clauſes, was in like manner inſtructed and guided by your apparent wiſh and general approbation.

Even the firſt ſuggeſtion was not mine; I am, indeed, every hour more convinced of its expediency and ſolidity, but I have not the merit of it.

A bill to prevent the intermarriage of offending parties (and with a clauſe alſo to prohibit the adultreſs, during a limited period, from contracting any marriage whatever) was propoſed nearly thirty years ago by the Duke of Atholl: it was rejected by a ſmall majority in the Houſe of Commons; and the rejection was followed by a great and rapid increaſe of divorce bills. The Duke of Atholl's propoſition was again tried in 1779, by a right Reverend Prelate of high reſpectability:—it was again negatived in the Houſe of Commons, by a diviſion of 51 to 40. In both inſtances it went through this Houſe not merely without oppoſition, but with general concurrence.

And here, my Lords, allow me to advert to a conſideration which, in the courſe of the five laſt weeks, has often preſented itſelf to my mind. Certainly it is no flattery to the perſons who now hear me, to ſay, that there exiſts within theſe walls as much collective wiſdom, as much right intention, and as much individual goodneſs and true honour as have been ſeen in

in the councils of any nation, either in preſent times or in paſt hiſtory.

Contemplating this Houſe, and the Members who compoſe it, in ſuch a point of view, and with all the advantages of cultivated education, all the acquirements of Parliamentary knowledge, and all the habits and practice of reaſoning; I have often aſked myſelf how it can happen that a body of men ſo conſtituted can exhibit a great ſchiſm and diverſity of opinions reſpecting a queſtion dependant on the evident and immutable principles of juſtice, morality, and religion.

Again, my Lords, how can it have happened that this Houſe, which in 1771 and in 1779 paſſed, without one diſſentient voice, and without any contrariety of opinions, a bill containing all the proviſions now under diſcuſſion, and even going beyond them, ſhould in 1800 debate thoſe proviſions with an earneſtneſs and warmth beyond any inſtance that I recollect in a Parliamentary experience of twenty-ſix years?

It would ill become me to deny that the ſame rectitude of intention which diſtinguiſhes the ſupporters of the bill, equally guides the conduct of its oppoſers. Their conduct is not to be aſcribed to any undue deſire to prevent the eſtabliſhment of new and neceſſary barriers againſt vice. On the other hand, the ſupport given to the bill, muſt not be attributed to a motive of an oppoſite nature, and hardly leſs reprehenſible; I mean an overweening zeal of reform, and a diſpoſition to do more than exiſting circumſtances demand. The diverſity of our opinions ariſes ſolely from a grave and ſolid doubt, whether the bill propoſed will eventually diſcourage an offence which we all equally wiſh to diſcourage.

When I ſay exiſting circumſtances, I do not allude to the increaſing applications for divorce bills, though, in point of fact, that increaſe is great and alarming.

It appears in our Journals, that from the date of the bill "to enable Lord Roos to marry again," a period of one hundred and thirty years, there have been one hundred and thirty-two divorces by Acts of Parliament; of which number there were only eight in the firſt forty-five years, fifty in the next ſixty years, and ſeventy-four in the laſt twenty-five years. In the four years immediately preceding this Seſſion there were twenty-nine divorce bills, excluſive of five which were rejected; and in the laſt Seſſion alone there were ten, excluſive of two which were rejected.

It may poſſibly be anſwered, that the increaſed number of

Parliamentary divorces proves only an increaſed facility (which in itſelf, however, is a great reproach to us) in the means of obtaining them. And in ſupport of this I may be told, that, in former periods of our hiſtory, the crime of adultery was more prevalent than it is at preſent. My Lords, I will not condeſcend to combat an argument which is unſound in its foundation. The mere ſtatement implies, that, provided the average of vices be not increaſed, we ought to leave them to their free operation. The queſtion is not, whether the immorality of this year is greater or leſs than in any former year, but whether there now exiſts a criminal practice, which has a natural and neceſſary tendency to increaſe the depravation of manners; and whether that practice is open to ſalutary correction and diſcouragement, by proviſions not in themſelves liable to ſolid objections.

But I by no means reſt the neceſſity of the preſent bill on the glaring and offenſive increaſe of Parliamentary divorces. I do not even reſt it on the repreſentation ſo eloquently made to you by my noble and learned Friend, on the part of the higheſt legal authorities, all concurring in an opinion, that the prevalence of adultery is become a dangerous and ſcandalous evil, calling loudly for ſome reſtriction and remedy, more eſpecially with reſpect to thoſe colluſions by which the criminal parties derive gratifications and worldly intereſts from the reſult of crimes.

Still there are other grounds on which the expediency of this bill may well be defended: I allude, my Lords, to circumſtances evident to all who can turn their eyes with a fair and unprejudiced attention towards the known ſyſtem and ſcenery of modern ſocieties. I allude to circumſtances which may be imperceptible to the viſual nerves of a choſen few, and no euphraſyor rue that I can adminiſter, will bring the object within their contemplation.

The nature of theſe circumſtances, and the relaxation of mind and morals which accompanies them, is forcibly and beautifully deſcribed by one of our poets, in a paſſage ſo ſingularly applicable to the preſent diſcuſſion, that I beg leave to avail myſelf of it:

> "Domeſtic happineſs, thou only bliſs
> Of Paradiſe that has ſurviv'd the fall!
> Forſaking thee, what ſhipwreck have we made
> Of honour, dignity, and fair renown;

Till

Till proſtitution elbows us aſide
In all our crowded ſtreets; and Senates ſeem
Conven'd for purpoſes of empire leſs,
Than to relieve th' adultreſs from her bond.
Th' adultreſs! what a theme for angry verſe!
What provocation to th' indignant heart
That feels for injur'd love! But I diſdain
The nauſeous taſk to paint her as ſhe is,
Cruel, abandon'd, glorying in her ſhame!
No.—Let her paſs, and chariotted along
In guilty ſplendour, ſhake the public ways;
And verſe of mine ſhall never brand the wretch,
Whom matrons now of character unſmirch'd,
And chaſte themſelves, are not aſham'd to own.
Virtue and vice had bound'ries in old time,
Not to be paſs'd. And ſhe that had renounc'd
Her ſex's honour, was renounc'd herſelf
By all that priz'd it; not for prud'ry's ſake
But dignity's, reſentful of the wrong.
'Twas hard perhaps on here and there a waif,
Deſirous to return and not receiv'd,
But was an wholeſome rigour in the main,
And taught th' unblemiſh'd to preſerve with care
That purity, whoſe loſs is loſs of all,
Men too were nice in honour in thoſe days,
And judg'd offenders well.—But now, yes, now,
We are become ſo candid and ſo fair,
So lib'ral in conſtruction, and ſo rich
In Chriſtian charity, (good natur'd age!)
That they are ſafe: ſinners of either ſex
Tranſgreſs what laws they may.*"

When I recollect all the exertions which within theſe few years have done ſo much honour to the wiſdom and public ſpirit of this Houſe, and have contributed ſo eſſentially to the public ſecurity and proſperity, I cannot allow myſelf to ſuppoſe that we even ſeem to meet in this place not ſo much for the great concerns of the empire as for the nauſeous and diſguſting purpoſe of divorce bills. Still, however, and in point of fact, it happened to your Lordſhips in the laſt Seſſion to be ſpecially ſummoned for thoſe purpoſes nearly forty times in the order of your proceeding on twelve bills of divorce.

* Cowper's Taſk, Book III.

Juſtly

Juſtly alſo might the poet inweigh againſt that "liberality of conſtruction" with which women of unſainted virtue and character are encouraged to ſpeak of adultery and its conſequences; forgetting the dignity and delicacy of their ſex in the unprincipled jargon of well-bred vice, and in maſculine and unbluſhing alluſions to libertiniſm and crime.

But the jargon of the day, though in itſelf a ſymptom of increaſing depravity, has no poſſible influence on the enlightened minds of thoſe who now hear me. Convinced as I am that doubts reſpecting the expediency of the Bill are the ſole cauſe of our difference, I wiſh to bring thoſe doubts to a ſhort and fair examination.

I do not however feel myſelf called upon to defend the clauſes which provide for the puniſhment of the ſeducer. The objections made to them have been ſo few and ſo indefinite, that I conſider that part of the Bill as almoſt unanimouſly adopted. And certainly though opinions may vary as to the mode of proſecution, the nature of the puniſhment to be applied, and the parties to whom proſecution and puniſhment ſhould be reſtricted or extended, it is not eaſy to argue that a crime ſubverſive of morality and religion, and of the good order, happineſs, and rights of civil ſociety, ſhall not be ſubject to our criminal juriſprudence. I diſmiſs therefore this part of the Bill, after thanking the noble and learned Lord who prepared it, for the great and laſting benefit which he has conferred on his country. I ought alſo to thank the oppoſers of the Bill, to whom the merit of originating the clauſes alluded to excluſively belongs. They called loudly for thoſe clauſes, and we have liſtened to their call. Indeed I had hoped that this material addition to the Bill would have ſuſpended all oppoſition, and that the puniſhment of the ſeducer would have been received as compenſating and juſtifying the reſtraint impoſed on the ſeduced. Unhappily the wiſh ſtill prevails to reject what I believe to be the moſt material part of the Bill, and to leave the adultreſs not only without puniſhment, but to facilitate to her the means of marrying the convicted partner of her adultery.

And here, my Lords, before I examine the arguments by which the propriety of ſuch marriages has been recommended to us, allow me to advert to a doubt which has been ſtarted reſpecting their legality.

It is one of the Canons Eccleſiaſtical of 1603, and a law ſtill in force, that in all ſentences of divorce *à thoro et menſâ*, "bond

"bond ſhall be given by the parties ſo ſeparated, that they ſhall not, during the life of each other, contract matrimony with any other perſon."

It is equally well known, that Parliamentary Bills of Divorce, though they purport to diſſolve the marriage in general terms, confine to the injured huſband only the authority given to contract a new marriage; making it lawful "for *him* to marry again, and declaring that the children born in *ſuch* matrimony ſhall be legitimate." There is no ſimilar proviſion for the future marriage of the divorced wife.

It ſeems more than probable that in the early inſtances of theſe divorces, it was not ſuppoſed or adverted to, that the permiſſion to contract a new marriage could extend to the adultreſs. But the ſubſequent and long acquieſcence ſeems to have eſtabliſhed ſuch marriages, or at leaſt to entitle them to be eſtabliſhed if any doubt ſhould ariſe reſpecting their validity. It is indeed difficult to underſtand how a marriage can be diſſolved as to one of the parties, without being equally diſſolved as to the other. And I would rather conclude that Divorce Bills, as now worded, though purporting to relieve only the injured party, are a complete diſſolution of the marriage; of which diſſolution the adultreſs may legally avail herſelf unleſs reſtrained by ſome general Act, or by ſome ſpecial clauſe. By a general Act, I mean the proviſion now under diſcuſſion, or the law preciſely to this point which has prevailed in Scotland ever ſince 1604, and under which the crime of adultery is certainly leſs frequent in that part of the kingdom than in this. By a ſpecial clauſe I mean the proviſo which it will be in the power of either Houſe of Parliament, by a ſtanding order or by habitual practice, to declare and inſiſt ſhall be annexed to Divorce Bills, if the meaſure now propoſed ſhould not paſs into law.

And now, my Lords, I come to the clauſes which alone are diſputed, and to which the epithet "abominable" continues to be applied; though not indeed with peculiar propriety, or with due reſpect towards ourſelves. It ought to have been recollected, that on the ſecond reading of the Bill which contained thoſe clauſes only, the Houſe divided in the proportion of nearly three to one in favour of the Bill, and that the majority united characters moſt reſpectable and exemplary in the beſt virtues of private life, in the adminiſtration of the laws of the land, and in the duties and practice of our religion. But I am not ſolicitous to advert to vague and ill-applied epithets; more eſpecially when argumentative

mentative objections have come from the ſame quarter, and have been urged with fairneſs, ability, and eloquence.

The leading and principal objection ſeems to be, that, by reſtraining the intermarriage of the offending parties, the woman is put out of the protection of the only man to whom ſhe can look up to preſerve her from degradation and infamy; and that ſhe is placed in the alternative between celibacy and libertiniſm. Some noble Lords have been pleaſed to add, that ſhe is thereby forced into a ſtate of proſtitution.

Is it then a concluſion to be avowed, admitted, tolerated, and ſanctioned, in plain and coarſe Engliſh, that whenever a woman ſhall think proper to prefer another man to her huſband, your Lordſhips, the hereditary guardians of the welfare and well-being of the people, are to contaminate the truſt repoſed in you, and to ſay to ſuch a woman, "Your plea is, or at leaſt ſuch is the plea of your officious defenders, that if you may not be permitted to form a ſecond contract with the man by whoſe ſeduction you have broken your firſt contract, you muſt naturally and neceſſarily abandon yourſelf to proſtitution. Your plea is moſt unprincipled; your paſſions are moſt depraved; but you ſhall be gratified. You have broken a ſacred and ſolemn vow, made in the preſence of your family and friends; but we will enable you, by a legiſlative act of ours, to go back unbluſhingly to the altar, which you ought to approach with agony and horror. Come again to us as ſoon as you ſhall feel diſpoſed to quit this ſecond huſband, and to take a third: we ſhall be ready *toties quoties** to authorize you to change the partners of your iniquity." My Lords, if the claim may not fairly be carried to this extent, it is falſe and good for nothing. The mere ſtatement is ſo diſguſting in every point of view, and is ſo degrading to the ſex which ought to be the object of our juſt pride and affectionate protection, that I ſhall quit it without farther remark.

I muſt however again and again remind your Lordſhips that this ſtruggle is not made for any ſyſtem of remedial law, indiſcriminately applicable to the community at large; but for the opulent claſs of adulterers and adultreſſes, who, by the expenſive nature of the proceeding, are alone implicated in Divorce Bills: and this partial diſpenſation is ſtill farther confined in moſt caſes to individuals who have the leaſt claim to any indulgence.

* *Quæ nubit toties, non nubit; adultera lege eſt.*
Offendor machâ ſimpliciore minus. MARTIAL, VI. 7.

Let us ſuppoſe that a woman ſhall have betrayed the beſt of huſbands; that ſhe ſhall have broken and deſtroyed his happineſs; and ſhall have brought diſhonour and diſtreſs into his family; a woman without excuſe or palliation for her miſconduct! Such a woman is ſure to have the benefit of our ſpecial interference, becauſe we cannot heſitate to give relief to her injured huſband, and ſhe is allowed to avail herſelf of the terms in which that relief is given.

But take the other caſe! Let us ſuppoſe that there are many circumſtances of extenuation; that the unfortunate female has been made to live amidſt ſcenes of debauchery and profligacy; that her huſband has connived with her ſeducer; that he has ſold her perſon; that he has driven her from his houſe and protection. Such a huſband cannot obtain a Divorce Bill (at leaſt our "liberality of conſtruction," our "Chriſtian charity," do not yet go quite ſo far). In this caſe, the woman, though hardly criminal, has no relief, but wanders an outcaſt from ſociety, to be laughed at by the gay and ſplendid adultreſs, whoſe aggravated guilt ſhall have ſecured to her the means of marrying her ſeducer.

I proteſt, my Lords, that this whole proceeding is ſo repugnant to my feelings, and at the ſame time ſo abſurd, that I liſten with aſtoniſhment to thoſe who defend it. I ſee no grounds on which it reſts, except on an unprincipled claim to favour a certain claſs of ſociety; to "faſhion wickedneſs by law;" and to elevate crime into contract. And all this (in the inſtances eſpecially where the crime is attended with the greateſt aggravation) contrary both to moral principle and to the practice of other nations from the remoteſt antiquity to the preſent time; contrary to the expreſs law of another part of the kingdom at this day; and even contrary to our own ſubſiſting law: for all the arguments uſed reſpecting the alternative in which the woman is ſaid to be placed, apply as ſtrongly againſt divorces *à thoro et menſâ*, as they do againſt the reſtrictions in the Bill which we are debating.

This is not a queſtion to be decided by ſentiments of indiſcriminate compaſſion. Hard indeed muſt be the heart which can be inſenſible to the diſtreſſes of a woman, whatever may be the cauſe. But in looking with an eye of pity to the ſufferings of a criminal, it is a paramount duty to look alſo to the tendency of the crime and to the neceſſity of example. We muſt not tamper with the eſſential principles of ſocial order.

It has been urged however, that in ſeveral inſtances the

intermarriages to which I object have been followed by a courſe of life well entitled, in every point of view, to eſteem and reſpect. My Lords, I know, and I admit, that ſuch caſes have occurred within the obſervation of us all: but I know alſo, that a wiſe Legiſlature will not wiſh to form and multiply a ſect of individuals, whoſe fall and ſubſequent riſe in the eſtimation of mankind can tend only to give a falſe eſtimate of principles. Unfortunately, it would be a ſect not content with the excluſive enjoyment of the privileges which itſelf had obtained, but, like other ſects, would be naturally active in multiplying the number of its proſelytes. It would conſiſt of perſons, the elegance of whoſe manners, and whoſe attractive habits of life, would be well calculated to faſcinate and corrupt the pure minds of others, and to create an opinion that there is ſomething worthy of indulgence and admiration in the practices and conſequences of a ſteady, grave, and well regulated adultery. It would be actively and neceſſarily at work to ſubvert every ſentiment of conjugal fidelity and female chaſtity, and would corrode and extend itſelf like a cancer over the fair boſom of civil ſociety.

My Lords, I feel anxious to reſiſt any imputation of rigour. God forbid that we ſhould adopt the harſh laws of other countries. The Moſaic law directed, that "both the adulterer and adultreſs ſhould be ſurely put to death." And the ſame ſeverity extended itſelf over Aſia and Europe through many centuries. The puniſhment of adultery by the Roman law varied at different periods, but was frequently capital. In the Digeſt there are proviſions ſimilar to the clauſes which we are debating. The ſtrictneſs obſerved on this ſubject by our anceſtors the Germans is well and forcibly deſcribed by Tacitus*. But theſe inveſtigations ſerve only to ſhew the

* *Ergo ſeptâ pudicitiâ agunt, nullis ſpectaculorum illecebris, nullis conviviorum irritationibus corruptæ. Pauciſſima in tam numeroſâ gente adulteria, quorum poena praeſens, et maritis permiſſa. Publicatae enim pudicitiae nulla venia: non formâ non aetate, non opibus maritum invenerit. Nemo illic vitia ridet: nec corrumpere et corrumpi, ſæculum vocatur.*
De Mor. Germ. c. 15.

Tacitus, who was of the conſular rank, alludes here, and with juſt indignation, to the vices of the higher ranks; and to their affectation of juſtifying habitual outrages to decency as being the faſhion and *ton* of the day, "*corrumpere et corrumpi ſæculum vocatur.*" He felt with his contemporary Juvenal, who had exclaimed:

Velocius ac citius nos
Corrumpunt vitiorum exempla domeſtica, magnis
Cum ſubeunt animos auctoribus. Sat. XIV.

mildneſs

mildneſs of the ſyſtem which we are purſuing; it is not even propoſed by this Bill, as at preſent conſtituted, that the female offender ſhould be ſubject to any puniſhment. All doubtful proviſions have been avoided; and therefore alſo the queſtion has been left for future conſideration, whether the means either of proſecution or of divorce ſhould be given to the injured wife.

I have omitted to ſtate a dilemma to thoſe who object to the clauſes in queſtion. Will they go ſo far as to argue, that in all caſes of adultery it is right and expedient to facilitate, or even (as ſome have ſaid by way of ſarcaſm and epigram) to compel the intermarriage of the offending parties? The eaſy interchange of wives prevailed during two or three years in that diſtracted country, whoſe terrible example we have had before our eyes; and it became no exaggeration to aſſert, that the ceremony of marriage reſembled the intercourſe of "brute beaſts which have no underſtanding." There is not an individual in this Houſe, whoſe mind will not revolt againſt any propoſitions of ſuch a tendency.

Is it then the wiſh to take the other branch of the dilemma, to confine Divorce Bills within the preſent bounds, and to give permiſſion of intermarriage between offending parties to the opulent only? My Lords, this is a poſition which will not bear the light; it becomes a code of adultery for a privileged caſt; it holds out, in many caſes, to the adultreſs the means of acquiring a great advance in rank and property by her crimes. In the place of contrition we ſee triumphant and barefaced vice. The compaſſion of all moral men changes to indignation when ſuch things happen.

Having diſpoſed of the adultreſs, let us now turn to her ſeducer. "With reſpect to him," ſay the noble Lords, "the clauſes in queſtion cannot fail to operate as a premium and encouragement to adultery. You releaſe him from his bond, when you refuſe to releaſe the adultreſs from hers. You releaſe him from an honourable obligation, the foreknowledge of which now deters and reſtrains him." What then is the nature of that ſuppoſed obligation, by virtue of which, in the event of detection, or in caſes of bargain or collufion, the adulterer is to come to this Bar by counſel for the adultreſs, to act the part of a defendant ſmarting under penal damages, in order to forward the Divorce Bill, which is to enable him to marry the adultreſs, and honourably to ſhare her diſhonour? The mere ſtatement of the queſtion ſhews the corrupt nature of the tranſaction, which is weakly

defended by unſound reaſonings reſulting from unſound principles.

As to the abandoned ſeducers, and thoſe who ſeek only to multiply the victims of their profligacy, I will rather truſt to the chaſtiſement of law than to the influence of faſhion. But admitting that there may exiſt in the breaſt of others that anomalous ſort of honour which is here adduced, that non-deſcript plant in the pleaſure-garden of modern morality, I ſhould infer, that a man poſſeſſing ſentiments which have a reliſh of honour, would rather be deterred than encouraged by the reflection, that he can no longer make any reparation. Is it not this hopeleſſneſs of marriage, the honourable neceſſity of which is not extended by the faſhion or practice of "this good-natured age" to the ſeducers of unmarried women; is it not this very hopeleſſneſs of all reparation which continues to make ſeductions ſo rare in that claſs of life, in which the ſeductions of married women are ſo frequent?

But I cannot comprehend the ſort of honour which would be influenced by the obligation contended for, and yet would proceed coolly and deliberately to debauch a married woman; to entail a ſenſe of ſhame on her innocent children; to deprive them of their natural protection; to give offence and diſguſt to ſociety; to rob a friend of his happineſs; and to deſtroy the fair pride and domeſtic peace of a whole family.

I cannot comprehend this ſtrange caſuiſtry, this ſophiſtry of ſin, as applied either to the woman, to whom the noble Lords wiſh to ſecure the means of deriving benefit from her crime; or to her ſeducer, who is to be diſcouraged by the implied obligation which I have thus analyzed. In favour of ſuch doctrines I cannot, with my incompetent knowledge of the world, frame any argument which would not tend to bewilder my own underſtanding, and the underſtanding of others, in a vain endeavour to palliate vice and to countenance the vicious. It is a ſort of threatening letter in behalf of crime, when we are informed, that, unleſs the ſeduced and ſeducer ſhall be permitted to have their vices of the preciſe colour and tint which they prefer, we muſt expect them to commit vices of a deeper dye and enormity. We cannot compromiſe with wickedneſs; all morality would be thrown off its hinges, if ſuch arguments could be uſed with effect; they are of a nature to undermine the whole fabric of juſtice with reſpect to every crime that can be committed.

But the new clauſes which I have this day introduced, will furniſh

furniſh the beſt anſwer to thoſe who are apprehenſive that the Bill may operate as an encouragement to adultery.

When your honourable men of gallantry ſhall have peruſed theſe clauſes with attention; when they ſhall have well conſidered the impending proſecution and its conſequences; when they ſhall ſee, fairly balanced, the different parts of the Bill; I do not believe that they will feel themſelves encouraged.

My Lords, I really am aſhamed to have dwelt ſo long upon a ſubject which is ſo clear and ſo plain in all its views and bearings. I have done ſo from reſpect for thoſe from whom I differ. I have no want of a right charity in favour of the infirmities of our nature; on the other hand, I have no pretenſions to enforce againſt thoſe infirmities any ſtrictneſs of correction beyond what is equally wiſhed by the noble Lords who oppoſe me. We differ only as to the means, and the neceſſity of employing them. I have little confidence in the accuracy of my own opinions; but certainly on this occaſion I derive great confidence from the ſupport with which I am honoured, and of which I ſhould be unworthy, if I did not exert myſelf in a cauſe ſo ſupported.

I now leave the Bill to its fate, but with an opinion deeply rooted in my mind, that, if it ſhould not ultimately be adopted, a ſevere and ſerious wound will be given to the good order and well being of ſociety. And let me not be told by thoſe who oppoſe the Bill, that I have placed them in a dilemma between the acceptance of a law which they diſapprove, and the reſulting encouragement of a crime which they abhor. I have repeatedly exclaimed that the ſubject of this Bill (which I ſupport becauſe I think it right, though it did not originate with me) was firſt brought into diſcuſſion by thoſe whoſe arguments I have endeavoured to anſwer. Such is the wiſdom of Parliament, ſuch are the right feelings of the public at large, that whatever may be proper to be done will be done at laſt; though temporary miſconceptions may prevail. And here I ſubmit the whole to that venerable Bench whoſe duty it is to maintain the purity of religion; to the great and learned Characters whoſe duty it is to maintain the purity of law; and to your Lordſhips in general, who are intereſted and diſpoſed to maintain the purity of married life, and of domeſtic happineſs.

I ſhall conclude with only one more obſervation. The awful hiſtory of the crimes of France, which have deluged Europe with blood and calamity; the awful events which every

every month, and almoſt every day, now produces (and to one of which the proceedings of this very day bear a moſt ſolemn teſtimony), have taught us all, in our gratitude to that Providence which has protected this Iſland, to look more than we had been accuſtomed to do, into the receſſes of our own minds. And I am ſure that there is not one amongſt us who has not felt the neceſſity of contributing by his example to the good order and morality of the people at large.

It had long been the object of the French writers, it is at this day the object of the German Theatre, to give faſcinating portraits of adultery; in order to corrupt the inſtitution of marriage; to confound all conſanguinity, ranks, and deſcents; and to deſtroy that reſpect for parents which is eſſential to good education: and all this to realize the diabolical dream of general fraternity and equality!

Happily, however, the viſionary ſcheme of modern philanthropy, which would have levelled and claſſed mankind with the beaſts of the field, is now ſeen in all its folly and deformity; and in this wiſe, and good, and happy country, has ſerved only to awaken the public mind. There now exiſts among us a due ſenſe of the eſſential importance of that morality, which happily, in our days, enlightens and adorns the Throne; and which it is the ſalutary purpoſe of this Bill to guard and to promote.

Lord *Mulgrave* roſe a ſecond time, and went very much at length in argument againſt the Bill, and quoted the caſe of the Marquis of Northampton's divorce, and ſudden marriage to a ſecond wife, with all the circumſtances relative to it, as related in *Burnet's Hiſtory of the Reformation*; and likewiſe referred to the *reformatio legum*, cited in a former debate by the Biſhop of Rocheſter. His Lordſhip reprobated the lines of Cowper as an impudent libel on that Houſe, and ſaid he believed had the ſame ſentiments been expreſſed in proſe, it would have been ſeverely puniſhed.

The *Biſhop of London* highly approved of the Bill: the only objection he had to it was, that it did not go far enough: the clauſe on which he had been ſo keenly oppoſed he thought perfectly fair, equitable and politic. If the adulterer were not to be puniſhed, then indeed the Bill would be unequal, and the leaſt culpable party would bear all the puniſhment of their mutual guilt. That it was right to prevent the marriage of the ſeducer with the unhappy object he has ſeduced, there could not be a doubt. In this there was no cruelty diſplayed to the unfortunate female, and ſhe was only left to

the

the natural conſequences of her guilt. At preſent ſhe received a reward for her miſconduct: ſhe got quit of a huſband whom ſhe diſliked, and became the wife of the man ſhe adored. It was a fundamental principle of law, morality, and juſtice, that no one ſhould profit by his own crimes, and it was upon this principle that the preſent Bill was framed. The ſilent hope of being able to marry the man who attempts her virtue, though no expreſs contract ſhould be made, muſt have a powerful tendency to weaken her principles, and to make her fall a more eaſy prey to her betrayer. The laws with regard to the deteſtable and ruinous crime of adultery, were at preſent extremely inadequate to check it, and ſome new regulation was abſolutely neceſſary. The whole nation was now looking up to the deciſion of their Lordſhips, and if they ſhould precipitately reject the preſent Bill, the moſt unfortunate conſequences would enſue.

The *Biſhop of London* ſaid he conſidered the preſent bill to be not only highly beneficial, but highly neceſſary to the preſent ſtate of morals. As the law now ſtood on divorces, the adultereſs, ſo far from meeting with condign puniſhment for a crime ſo injurious to the morals of private families, ſo pernicious to the public, met with a reward,—a reward in being releaſed from the reſtraint of moral and connubial obligation, and ſuffered to intermarry with her paramour. His Lordſhip reflected upon the impurity of morals and manners that muſt inevitably ſpread through private families from ſuch a ſource, and from which the innocent offspring muſt derive an early taint. He deprecated all ſentiments of an irrational humanity and tenderneſs for the offender, on ſuch occaſions: were ſentiments ſuch as theſe to be entertained, no Judge, ſitting on a criminal, could ſentence him to death for the commiſſion of his crimes, without being checked by ſentiments of pity that would naturally ariſe on ſuch a trial; the wretched condition of the criminal, the condition of his wife and children, who may be innocent, and who yet muſt ſuffer ſeverely, would be ſufficient to awaken ſuch emotions, and ſtand as an impediment to juſtice. This was an ill-judged humanity; and, in the caſe of the Bill now before them, it was better to admit a certain portion of ſeverity againſt the offending party, by withdrawing from her hopes the object of her wiſhes, her ſeducer, than ſuffer her, by his ſuggeſtions, to become inſtrumental to the corruption of her offſpring and her family, and conſequently of ſociety.

Lord *Hobart* followed on the ſame ſide. He highly approved

proved of the conduct of his noble Friend, who had the merit of introducing the Bill, and declared it ſhould have his moſt hearty ſupport. He thought the conduct of the noble Lord who ſpoke laſt but one, erroneous and inconſiſtent, and that if any one had uſed ſuch language out of the Houſe, he ought to be called to the Bar, and from thence ſent to Newgate, as having been guilty of a libel.

Lord *Mulgrave* aſſerted that he had no intention to libel the Houſe. He thought it a moſt able, honourable, dignified and uſeful aſſembly, but that it ſhould not entertain a meaſure which would increaſe the frequency of adultery inſtead of diminiſhing it. He conſidered it his duty to wipe off this unjuſt aſperſion.

Lord *Grenville* ſaid, that they were not now diſcuſſing the merits of the Bill, but conſidering whether it ſhould be printed. Whether the noble Lord, who had juſt ſat down, was for or againſt this queſtion, he was rather at a loſs to conceive He himſelf would trouble their Lordſhips with a few obſervations, to ſhew that the Bill was an excellent one, and that however much to be condemned, it was improper and indecent now to reject it. It would appear from the ſpeeches of ſome noble Lords, that there was in it ſomething ſo very reprehenſible, monſtrous, and contrary to all juſtice and policy, that it ought not to be entertained for one moment by the Houſe. He allowed that there might be propoſitions ſo very deſtructive of the principles of religion and morality, that they ſhould be inſtantly rejected to ſhew a proper abhorrence and indignation at the conduct of thoſe who had the audacity to propoſe them. But was there any thing of that nature in the preſent Bill? A former one, upon which this was a very great improvement, had paſſed ſeveral ſtages through the Houſe, and had been approved of by a very large majority of their Lordſhips. Was not the conduct of theſe noble Lords ſeverely, indecorouſly cenſured, by this rancorous oppoſition? All had declared that the crime of adultery was becoming daily more frequent, and that ſome meaſure was loudly called for to put a ſtop to it. It was not then the title nor preamble of the Bill which gave ſuch offence. By moſt, the firſt clauſes of the Bill had been approved; by one noble Lord, who ſpoke on the other ſide, they had been called juſt, politic, and humane. Should then the uniform practice of the Houſe be broke in upon, and the Bill thus prematurely caſt out, becauſe ſome of the proviſions of the latter part of the Bill ſeemed inexpedient?

Theſe

Theſe very clauſes had been before received, printed, and approved of by the Houſe. Surely ſome reſpect was due to the large majority who had approved of them, and the ſtigma ſhould not be caſt upon theſe noble Lords of having been guilty of folly, ſtupidity, and injuſtice. It was allowed by all that the law could not be permitted to remain as it is without ruin to the morals and happineſs of the community. They were told by a greater authority than Cowper (a Poet for whom he felt the higheſt reſpect, and whom he had been ſorry to hear diſapproved of and reproached) that Parliaments aſſembled only to releaſe the adultreſs from her bond. His noble and learned friend on the woolſack, and the other two noble and learned Lords who preſided in the Courts of Law, had declared that the greateſt abuſes were committed, and that at preſent there was no remedy for theſe abuſes. In many caſes there was colluſion between the parties, and in no inſtance was there a poſſibility of adequately puniſhing the guilty. They found their proceedings on the bench in ſuch caſes, a farce and a mockery. The Eccleſiaſtical Courts were equally deficient, and there was no way in which the injured party could obtain redreſs, or vice could receive its reward. He had long been ſenſible of theſe truths, nor had he ever been preſent when a Divorce Bill was paſſed, that he did not think the Houſe diſgraced and degraded; not being converſant, however, with ſuch ſubjects, diffidence prevented him from propoſing any legiſlative interference; but he never was ſo happy, as when he heard that his noble and learned Friend was to begin his uſeful career in that Houſe, by calling upon the Legiſlature to interfere. The only argument of any weight he had heard urged againſt prohibiting the intermarriage of the adultreſs with her ſeducer, was, that one bar would be removed from men of gallantry purſuing their unlawful deſigns as at preſent they are afraid leſt they ſhould be obliged to chuſe as their companions for life thoſe women whom they have polluted and diſgraced. But though more diſpoſed to ſtorm the citadel of virtue, they would find conqueſt much more difficult. All hope of being reinſtated in ſociety being taken away, every woman of common prudence muſt lend a deaf ear to the ſolicitations of the man, who would alienate her affections from a huſband to whom ſhe muſt continue to be true, or give up all hopes of enjoying the comforts of life. The means of defence were encreaſed in the exact proportion of the diſpoſition to aſſail. He hoped that the unhappy female would not, after her lapſe from the

paths of purity and virtue, be turned looſe into the world, and become abandoned and wretched. But if a few ſhould be reduced to this deplorable ſituation, what a motive to fidelity would their example hold out? The education of the children would in no way be injured by the propoſed regulation, as if delicacy permitted, it would be eaſy to ſhew that the mothers who married their paramours, were in no degree better behaved, than thoſe who, after their divorce, continued through life unmarried. A deteſtation of vice muſt be generated in children by witneſſing the unhappy effects it has had upon their deluded parents. The Bill was open to no ſerious objection; he was confident, if carried into a law, it would produce the happieſt effects, and it had his moſt cordial ſupport.

Lord *Rawdon* ſaid, that he ſhould not oppoſe the printing of the bill, though he ſtill retained the ſame opinion of its proviſions, and was determined to give it all the oppoſition in his power.

The queſtion was then put, and the bill ordered to be printed and read a ſecond time on Monday.

The Duke of *Clarence* ſaid, that he would be glad to know from the noble mover of the bill, when he meant that it ſhould go to a Committee. He did not wiſh to cauſe any unneceſſary delay, but a meaſure of ſuch magnitude ſhould not ſurely be hurried with rapidity through the Houſe.

Lord *Auckland* replied, that he wiſhed to carry through the bill as expeditiouſly as other public buſineſs would permit, and that he thought it moſt probable the bill would be committed on Wedneſday.

His Royal Highneſs gave notice, that he would then attend to oppoſe it, and that it ſhould meet with his ſtrenuous and determined oppoſition to the laſt hour of his life. Adjourned to Monday.

HOUSE OF COMMONS.

MONDAY, MAY 16.

The bill for empowering the heirs of the late Lord Pigot to diſpoſe by lottery of the celebrated Diamond brought by that Nobleman from Bengal, was ordered to be referred to a Special Committee.

The ſecond reading of the Life Annuity Bill was deferred till Monday.

The *Speaker* informed the Houſe that, in conſequence of a meſſage from the Lords, he had been in the Houſe of Peers, and heard the Royal Aſſent given to the Eaſt India Warehouſe

houſe Bill—the bill for pay and clothing of the Militia—the Diſtrict Poor bill, and to ſeveral private bills.

A meſſage from the Lords informed the Houſe that their Lordſhips deſired a conference with the Houſe in the Painted Chamber on a ſubject materially affecting the ſafety of his Majeſty's ſacred perſon and the happineſs of his people.

And the Lords beg leave to inform the Houſe that, in the abſence of their uſual meſſengers, and from the extreme importance of the occaſion, they had been induced to ſend the meſſage by the Clerk Aſſiſtant of the Houſe of Peers, and the Clerk of the Crown.

The *Speaker* ſaid it was a matter on which the Houſe ſhould determine, whether this Houſe ſhould be ſatisfied with the reaſons aſſigned by the Lords, and the propriety of agreeing to it. It had always been uſual for meſſages from the other Houſe to be brought by the Maſters in Chancery; and it was for the Houſe to decide whether the importance of the occaſion was ſufficient to diſpenſe with this mode, and whether they would agree to the propoſed conference, conveyed as the meſſage had been. At any rate he ſuppoſed the Houſe would chooſe to ſend their determination by their own meſſengers.—This being aſſented to by the Houſe,

The meſſengers from the Lords were called in, and the Speaker informed them that the Houſe would ſend their anſwer by their own meſſengers.

The *Maſter of the Rolls* moved, that in conſequence of the importance of the occaſion this Houſe do acquieſce to the reaſons given by the Lords, for ſending the meſſage by the Clerk Aſſiſtant and Clerk of the Crown, in the abſence of the uſual meſſengers, provided the ſame be not drawn into a precedent in future. Ordered *nem. con.*

It was then reſolved, *nem. con.* to agree to the conference. Lord Hawkeſbury was appointed to acquaint their Lordſhips thereof.

Mr. *Dundas* moved for a Committee to manage the conference. Ordered.

The Committee appointed for that purpoſe was—Mr. Secretary Dundas, the Secretary at War, Mr. Ryder, Lord Hawkeſbury, and ſixteen others.

Lord *Hawkeſbury* informed the Houſe that he had delivered their meſſage, and that the Lords waited in the Painted Chamber.

The Committee of the Commons attended the Lords, and on their return

Mr. *Dundas* informed the Houſe that a conference had been held with the Lords, in which the Lords informed the managers of that Houſe, that in conſequence of the atrocious attempt ſo lately made on the life of his moſt gracious Majeſty, their Lordſhips had unanimouſly agreed to preſent a moſt dutiful and loyal addreſs, congratulating his Majeſty on his eſcape from ſo eminent a danger, and to which their Lordſhips, wiſhing it to be a joint addreſs, requeſted the concurrence of that Houſe.

The addreſs was then brought up and read, and was to the following purport:—

"We your Majeſty's moſt dutiful and loyal ſubjects, the Lords ſpiritual and temporal in Parliament aſſembled, do beg leave to approach your Majeſty's Throne to expreſs our horror and indignation at the late atrocious and treaſonable attempt made againſt your Majeſty's moſt ſacred perſon, and to convey our heartfelt congratulations to your Majeſty and the country on your Majeſty's happy eſcape therefrom. Attached, as we are to your Majeſty by every conſideration which can endear a Sovereign to his people, by a ſenſe of the benefits derived from your Majeſty's juſt, mild, and paternal Government, and by a veneration for the virtues which ſo abundantly adorn your Majeſty's character, we offer up our heartfelt and ſincere acknowledgments of the merciful interpoſition of providence, ſo ſtrikingly manifeſted in our behalf, and we make it our earneſt prayer to Almighty God that he will long continue to preſerve a life ſo juſtly dear to us."

The addreſs was agreed to *nem. con.* and the ſame was ordered to be communicated to the Lords.

The order of the day for the Houſe to reſolve itſelf into a Committee on the Income Bills, was referred to Monday.

Mr. *Tierney*'s motion for the repeal of the income tax, was deferred till Thurſday next.

The other orders of the day were read and deferred, and the Houſe adjourned to Monday.

HOUSE OF LORDS.

MONDAY, MAY 19.

The bills on the table were reſpectively read a ſtage each.

A Meſſage was brought up from the Commons by Mr. Bragge and others, ſtating, that the Houſe had agreed to the reaſons aſſigned by their Lordſhips for having ſent down a Meſſage to them laſt Friday by the Clerk Aſſiſtant and Clerk of

of the Crown, inſtead of the uſual Meſſengers, provided the ſame was not drawn into a precedent.

Another Meſſage was brought up by Sir John Sinclair and others, ſtating a reſolution agreed to by the Commons on the ſubject of encloſing the Waſte and Common Lands of the Kingdom.

Both Meſſages were received, and read to the Houſe by Lord Eldon from the Woolſack.

The Bill, entitled "an Act for the puniſhment and more effectual prevention of the crime of Adultery" was read a ſecond time; after which

Lord *Auckland* moved, that it be committed for Wedneſday next, giving notice at the ſame time that he intended that the Report be received the ſame evening, and the Bill read a third time on Friday.

Lord *Eldon* ſaid he might as well take that opportunity of ſtating that the alterations he ſhould have to offer in the Committee would be chiefly verbal amendments, but were not likely to occaſion any new oppoſition, as they were calculated to remove the objections that had been made to the Bill.

Ordered that the Bill be committed on Wedneſday.

Several Bills were brought up from the Commons by Mr. Bragge, Mr. Ellis, and others; received and read a firſt time. Adjourned.

HOUSE OF COMMONS.

MONDAY, MAY 19.

Mr. *Thornton* brought up the Bill for enabling the Governor and Company of the Bank to purchaſe certain Houſes in its vicinity, in order to render the avenues thereto more commodious.—Read a firſt time, and ordered to be read a ſecond time.

On the motion of Mr. Jekyll the Committee on the Annuity Bill was deferred till Wedneſday the 28th inſt. it being inconvenient for the mover of the Bill, (Mr. Erſkine) to attend before that day.

On the motion of Sir J. W. Anderſon the ſecond reading of the Bill for more effectually preventing the miſbehaviour of Cart-drivers in the ſtreets of London, was deferred till Thurſday next.

The Committee appointed to examine into the fees and emoluments of the Clerk and Clerk-Aſſiſtant of the Houſe, was poſtponed till Monday next.

Mr.

Mr. *Tierney* moved, that there be laid before the Houſe an account of the amount of the Income Tax, and of the charges attending the collection of the ſame from the 5th April, 1799, to the 5th April, 1800.—Ordered.

The *Speaker* wiſhed now to call the attention of the Houſe to the manner in which a communication had been made on Friday laſt to that Houſe by the Houſe of Peers, as on that occaſion he was rather averſe to mixing any obſervations on the informality of that communication with the very ſerious and important matter which was then under their conſideration. It was his deſire that the Lords ſhould be acquainted with the grounds of the objections of the Houſe, and that for that purpoſe a meſſage ſhould be ſent to their Lordſhips, informing them thereof, as he conceived this would be the mode the moſt ſatisfactory to the general feelings of the Houſe.

He alſo thought it proper to have the reaſons entered on the Journals of the Houſe, which induced them on that occaſion to depart from their uſual mode of proceeding, in order to prevent ſuch an inſtance from being drawn into a precedent. He hoped ſome hon. Member would make a motion to that effect.

The Hon. *D. Ryder* then moved, that the Meſſage recommended by the Chair be ſent to the Lords, which motion was agreed to, and Mr. Bragge ordered to carry the ſame to their Lordſhips.

On the motion of Mr. *William Dundas*, the Leith Harbour Improvement Bill was read a ſecond time, and committed for Friday.

A Meſſage from the Lords acquainted the Houſe that his Majeſty had appointed Wedneſday next, at two o'clock, to receive the joint Addreſs of both Houſes, and that their Lordſhips would attend at that hour.

PUBLIC ACCOMPTANTS.

Mr. *Abbot* roſe to call the attention of the Houſe to a motion, of which he had ſome time back given notice. The object of that motion was, more effectually to charge Public Accomptants with intereſt on the public money that might remain for a certain time in their hands. The meaſure he felt anxious to bring forward was founded on general juſtice and policy; and in former times its principle was recognized and enforced. He more particularly referred to the time of Queen Anne, and ſhewed it to be a maxim, that all monies raiſed for the ſervice of the navy or army ſhould have intereſt

reſt paid on them by the Public Accomptants, under certain circumſtances: and that after a certain time ſuch ſums ſhould not remain in their hands, but be paid into the Bank of England. The moſt flagrant abuſes had ariſen from the detention of large ſums in the hands of the public ſervants after their accounts had been cloſed, and theſe abuſes he was not a little ſolicitous to correct: but the laws on this head were ſtill very deficient, and immenſe ſums of the public money had often been put out to intereſt for private emolument. To remedy theſe defects he was of opinion, that certain regulations ſhould be adopted, pointing out more particularly the time and place when and where ſuch monies ſhould be paid in; but he did not mean to extend theſe regulations to any current account. He inſtanced large balances which were known often to remain in the hands of the Commiſſioners of the Revenue and of the Stamp-office in Scotland, the amount of which, he truſted, ſome meaſures would be taken to aſcertain—he was determined at leaſt to move, that an account of theſe balances be laid upon the table of the Houſe. The operation of the regulations he had to propoſe would only be proſpective, and he flattered himſelf that the moſt beneficial conſequences would be ſeen to flow from it—it would prevent perſons from being eager to lodge large ſums of money in their hands, beyond what the public ſervice required, if they were bound to pay an adequate intereſt on it; and at the cloſe of their ſervice the public would have the benefit of the intereſt on what ſums might remain in their hands, and be leſs expoſed to loſſes from the inſolvency of ſuch perſons. Moſt Gentlemen muſt be aware, from their own memory or obſervation, of the many abuſes that, in caſes like thoſe he alluded to, had been practically realized, to the detriment of the public, to the ſhame of the delinquents, and to the diſtreſs of their families. He flattered himſelf, therefore, that the Houſe would countenance a meaſure which went to prevent theſe abuſes, and to eſtabliſh a ſyſtem of public œconomy, more eſpecially as the regulations he had to propoſe were juſt towards the public, and unjuſt towards no individual. Mr. Abbot then concluded by moving for leave to bring in a bill for more effectually charging public accomptants with the payment of intereſt.

Sir *J. W. Anderſon* roſe to ſecond the motion, and to applaud the intentions of the hon. Mover. Many abuſes of the nature of thoſe which the bill was intended to correct, had come to his own knowledge, and he could aſſure the Houſe that

ready fallen ſhort 1,700,000l. and the regulations contained in the reſolutions did not promiſe to bring in more than 4 or 500,000l. The one which went to affect perſons who had reſided for ſix months in this country, was probably intended to include the gentlemen from the ſiſter kingdom, who came to take up a temporary reſidence at Bath. From the others very little could be expected; there would, therefore, ſtill remain a deficit of a million; and where were the means to make good that deficit? Viewing the matter as he now did, he was more than ever determined to perſiſt in his motion for the repeal of the tax altogether. Every man in England muſt be ſenſible, that in withdrawing the former bill, the right hon. Gentleman had caſt himſelf at the feet of the Committee of the Manſion-houſe. It was evident, at leaſt, that he experienced a defeat in ſome quarter, otherwiſe it could not well be conceived how his uſual ſpirit, his perſeverance, not to ſay his obſtinacy, could have ſhrunk from the attempt, after having perſiſted in it for two months. The obſtacle he met with aroſe from the very quarter where the meaſure had its birth and origin, and theſe gentlemen who were ſo forward in planning it, now leave it to ſhift for itſelf, or throw it upon the ſhoulders of the farmers, or of the Iriſh Gentlemen who may be tempted to reſide for a time at Bath. Not the leaſt hint is thrown out of aſſeſſing commercial men more than before, though this was at firſt ſuppoſed to be the main object of the new bill. Theſe foſterers of its early infancy no longer felt anxious for its ſucceſs—they are only ſolicitous to eſcape from it themſelves. For his part, he would ſay no more on it at preſent, but deprecate its being eſtabliſhed into an Engliſh ſyſtem of finance. He hoped the bill would be printed, and that he ſhould diſcover nothing in it but what directly and immediately ſprung out of the reſolutions.

Mr. *Bragge* obſerved that this was not the Committee on the proviſions of the bill, but merely one for propoſing the reſolutions on which it was to be grounded.

Mr. *Tierney* ſaid he would take care to examine if in ſubſtance it was the ſame with the reſolutions, and that, if not, he would defer till Thurſday his animadverſions upon it.

Mr. *Roſe* ſaid that in many places no commercial commiſſioners had been appointed, ſo that it was impoſſible to know how much the merchants had contributed, or what proportion had been contributed by the landed intereſt. To aſcertain this important point was one of the objects of the propoſed

poſed regulations, but till theſe regulations ſhould have had their effect, it was ſurely extremely improper to brand any body of men with the imputation of having ſhamefully evaded the tax, when there were no grounds whatever upon which to make any calculation. It was now propoſed, that in the city of London no one who has under 2000l. a year ſhould be aſſeſſed by the commercial commiſſioners, as they being men of great opulence could not be ſuppoſed to be intimately acquainted with the affairs of thoſe whoſe income is below that ſum, and of courſe muſt be unfit to examine into the truth of the returns which are made by thoſe retailers and inconſiderable merchants. The happieſt conſequences he was confident would follow this regulation, and many frauds and abuſes would be prevented by it. It was matter of notoriety that the farmers did not pay their juſt proportion of the tax, and that many of them almoſt eſcaped altogether. There would now be means of coercing them, but there would likewiſe be means of coercing mercantile men, who had been guilty of ſimilar practices. No partiality was ſhewn to the one body of men, nor injuſtice to the other. Whatever the hon. Gentleman might be pleaſed to ſay, the changes propoſed to be made in the method of collecting the income tax were ſuggeſted by no individual, but proceeded from the general repreſentations of the country. The reſolutions he had mentioned he believed comprehended every thing intended to be put into the bill, but he would not pledge himſelf that there might not be ſome minute addition or alteration.

Mr. Alderman *Curtis* ſaid that the hon. Gentleman below him (Mr. Tierney) had uſed great liberties with a very reſpectable body of men, and had not ſtated the ſmalleſt authority for ſuch unpolite allegations. It was unjuſt, indecent, and unhandſome for any Member to hold ſuch language. It was not the firſt time that he had done ſo, but he thought he would do well not to behave ſo in future. He himſelf highly approved of the income tax, and was confident that if every man had done his duty, and contributed a tenth of his income, that it would have produced more than it had been eſtimated at by the Chancellor of the Exchequer. Since fraud had been practiſed, it was certainly proper to uſe every means to put a ſtop to it, and the regulations propoſed he had no doubt would have that effect. He was ſhocked upon reading the bill which had been formerly introduced, but was now fortunately withdrawn. That went to ſet up an in-

quiſition in the country, and to make public every man's affairs to the whole world. He had no objection to diſcloſe his own income, but to others ſuch a diſcloſure might be fatal. He was happy to find that the new regulations now propoſed would ſtill preſerve ſecrecy inviolate, and they had his hearty ſupport.

Mr. *Tierney* ſaid that no one had more reſpect for the commercial Commiſſioners than himſelf. It would be ſtrange if it were otherwiſe, as his neareſt connections were of the number. He was not ſenſible of having ſaid any thing to warrant the ſevere ſtrictures of the worthy Alderman. The former bill bore very hard upon the city of London, and had been withdrawn without any reaſon being aſſigned. Was it not natural, then, to conclude, that the plan had been abandoned from the repreſentations of the worthy Alderman and his friends? His hon. Friend (if he would ſtill allow him to call him ſo) had certainly miſtaken his meaning, as it was by no means his intention to ſay any thing diſreſpectful of the city of London, though he could not ſhut his eyes to the convincing proofs he daily beheld of ſhameful evaſions having been practiſed by the mercantile men in London, and every other great trading town. He thought the regulation moſt unjuſt, which ſubjected all thoſe who have under 2000l. a year to the ſcrutiny of the ordinary Commiſſioners, while thoſe, with a large income, were to be aſſeſſed by the commercial Commiſſioners. It was proper, it ſeemed, that people of moderate property ſhould be ſtrictly looked after, but that perfect confidence ſhould be had in the honour and integrity of great and opulent men, ſuch as the worthy Alderman. In his humble opinion, however, thoſe of overgrown fortunes had a greater opportunity of defrauding the revenue, and were much more apt to improve it.

Mr. *Roſe* proteſted that he had no worſe opinion of thoſe whoſe income is under two thouſand a year than of thoſe whoſe income is above two thouſand a year. God forbid that he ſhould have ſuch illiberal opinions, or ſhould be diſpoſed to make ſuch unjuſt diſtinctions. The only reaſon why it was propoſed that they ſhould be aſſeſſed differently was, that their condition in life was different, and they were accuſtomed to aſſociate with a different ſet of men. This new regulation, if adopted, would not be leſs advantageous to themſelves than it would be to the public.

Mr. *Tierney* aſked, whether it could be ſaid that there was no diſtinction made between them when the one ſet was to be

be taxed by men in the ſame habits of life with themſelves, and the other by men who were not merchants, who had no fellow feelings with them, and were abſolute ſtrangers to the nature of their purſuits?

Mr. *Roſe* affirmed that the ſituation of thoſe of ſmall fortune would be improved by the change, as they would then be aſſeſſed by thoſe who had a fellow-feeling with them, by being aſſeſſed by men whoſe circumſtances are ſimilar to their own. Could there be much fellow feeling between a man of 60l. a year, and another of 60,000l. Yet the firſt was formerly liable to be aſſeſſed by the latter.

Mr. *Baſtard* aſked, whether the farmer was to pay from his actual income, or according to the reſervations in his leaſe?

Mr. *Roſe* replied, preciſely the ſame manner as by the laſt year's bill. The preſent meaſure only altered the proportion, that there would be no alteration with regard to the rents, rack-rents, and fines of landed eſtates.

Mr. *Baſtard* ſaid, that in that caſe the Landlord would continue to pay for what he did not poſſeſs.

Mr. *M. A. Taylor* ſaid, that he would do every thing to render the tax effectual, though he originally voted againſt it, and was determined to vote for its repeal the very firſt opportunity. If it exiſts it ought to be equally and impartially levied, and he would riſk a ſcold from the worthy Alderman by ſaying, that he was confident that mercantile men had ſhamefully evaded it. He did not ſee why the commercial Commiſſioners ſhould not be aboliſhed altogether, or why the affairs of merchants ſhould be kept ſecret, while thoſe of himſelf, and every other learned Gentleman, were completely diſcloſed. He had three grand objections to the tax. 1ſt. That it cauſed a diſcloſure of income. 2d. That he who has an eſtate in fee, and he who has another of the ſame value only for life, pay an equal proportion of it. 3. That to aſcertain people's income with accuracy was altogether impoſſible. However, the inexpediency of the tax was no reaſon for its being unequally levied, and there was every reaſon to believe that not only in London, but in Leeds, Liverpool, Mancheſter, Wakefield, and many other manufacturing towns, the majority of the inhabitants had by no means contributed their ſhare. He would therefore agree to theſe reſolutions, though he was ſorry that they did not go far enough. He was grieved likewiſe on another account, viz. that the country

try Gentlemen would ſuffer by theſe regulations. The farmers he allowed had evaded the tax, but now that they were obliged to pay it they would pay leſs rent to their landlords. It was a pity that thoſe Gentlemen, who originally brought forward the tax, ſhould not be made more ſeverely to feel its effects, but they were ſhewn an undue ſhare of favour, and a very reprehenſible partiality.

Mr. *Jolliffe* ſaid, that the amount of a farmer's rent was a very fallacious criterion by which to eſtimate his gains. He who pays his landlord 500l. a year often makes leſs clear profit than he who pays only 150l.

Sir *W. Geary* ſaid, he ſhould be glad to know whether every one muſt ſpecify that part of his income which ariſes from landed property, and that part which ariſes from commerce, and whether theſe two portions were ſeparately aſſeſſed?

Mr. *Roſe* replied, that he though ſuch a regulation would be expedient, and that it would probably be propoſed.

The different reſolutions were then put and agreed to, the Houſe was reſumed, and the report ordered to be brought up the next day.

The *Secretary at War* preſented an account of the charges for arms, accoutrements, and ammunition for the year 1799. Ordered to lie on the table.

In a Committee of the whole Houſe it was reſolved, that the duties now payable on oil and turpentine imported into Great Britain be repealed, and that others be ſubſtituted in lieu thereof.

The Houſe was reſumed, and the report ordered to be brought up the next day.

On the motion of Mr. P. Coke, the order of the Houſe to conſider the report of the Committee on the Menial Servants' Bill was poſtponed till the next day.

The Lottery Bill was read a firſt time, and ordered to be read a ſecond time the next day.

The report of the Committee on the Wapping Wet-Dock Bill was brought up, ſeveral new clauſes were moved and agreed to, and the Bill was ordered to be read a third time on Friday.

The other orders of the day were then read and deferred.

Adjourned.

HOUSE

HOUSE OF LORDS.

TUESDAY, MAY 20.

The bills on the table were forwarded in their reſpective ſtages. Adjourned.

HOUSE OF COMMONS.

TUESDAY, MAY 20.

Mr. *Bragge* moved for leave to bring in a bill for the better ſecurity and regulation of Mines and Collieries. He ſaid that the principal object of the bill would be to make it a tranſportable felony to ſteal coals out of the bed of the earth.

Lord *Hawkeſbury* ſaid, he was againſt the enactment of new felonies without due conſideration; it was neceſſary, before the Houſe agreed to ſuch a bill as that moved for by the hon. Gentleman, to have it clearly ſhewn that the offence complained of was felt as an evil ſufficient to juſtify Parliament in making it a felony.

Mr. *Bragge* replied that many perſons were known to have made conſiderable ſums of money by the practice of taking coals out of the lands of others; and the parties who were the proprietors of thoſe lands had no means of obtaining ſatisfaction by action, as the offending parties uſed to move about from place to place. Leave was given.

The *Speaker* gave notice that he would be at the Houſe the next day, at a quarter paſt one o'clock, in order to accompany the Members to St. James's, with the joint addreſs of both Houſes of Parliament to his Majeſty.

A bill for charging public accountants with intereſt, was brought up and read a firſt time; ordered to be read a ſecond time on Friday next.

Mr. *Tierney* moved for an account of the net produce of the permanent taxes for the year ending the 5th of April, 1800. Ordered. He alſo moved for an account of the expences incurred in the collection of the income tax; he ſhould rather have an account of the perſons employed in collecting it, but this would anſwer the purpoſe as well.

Mr. *Roſe* ſaid, that the Officers were not as yet actually employed; if the income tax had never taken place, the perſons now employed in collecting it would have been employed as ſurveyors of aſſeſſed taxes, &c. The motion was granted.

The report of the Committee on the income tax was brought

brought up; when the reſolutions were read a firſt time; and, on the motion that they be read a ſecond time,

Mr. *Jones* ſaid, he conſidered it an odd way to make up for the defalcations of the income act, to raiſe the ſum of 40,000l. on the farmers, and on thoſe who ſhall come to reſide for ſix months on our hoſpitable ſhores.

Mr. *Tierney* obſerved, that to any one who would look into the preamble of the bill that had lately been introduced into that Houſe, it muſt appear that its object had been to guard againſt the frauds ſuppoſed to be committed by commercial men. Now there was not a word about theſe evaſions, but an additional ſum muſt be laid on the farmers.

Mr. *Roſe* ſaid, that it was intended to correct as much as poſſible all kinds of frauds; and he was convinced in his own mind that the income tax would be much more productive than it had been, on account of the better management and regulations that were intended to be adopted; the Commiſſioners hitherto not being ſufficiently acquainted with the mode of proceeding.

Mr. *Baſtard* ſaw no reaſon why the farmer ſhould be called on in an arbitary manner to pay freſh burthens, while the ſhopkeeper was exempted.

Mr. *Harriſon* ſaid, this new charge was neither more nor leſs than a new land-tax.

Mr. *Roſe* ſaid that if it was a new land-tax, it was no more than what all other perſons were to pay in equal proportion.

Mr. *Jolliffe* was againſt the meaſure.

Lord *Sheffield* wiſhed the reſolutions might be printed, in order to be clearly underſtood.

Mr. *Hobhouſe* contended, that inſtead of correcting the evaſions ſaid to have been practiſed by commercial men, this new bill went to lay a freſh burthen on farmers, againſt whom no evaſions had been proved.

Lord *Hawkeſbury* ſaid, that to his knowledge the evaſions practiſed by farmers in not paying their proper ſhare of the income tax had been a ſubject of converſation ſhortly after the paſſing of that act; and it had for a conſiderable time been the intention of Government to make this additional duty on farmers, a part of the regulations that were to be introduced. He believed there were many evaſions among commercial men, but he did not think they would be found to be ſo conſiderable as was ſuppoſed. There was every reaſon to believe that the tax would be more productive next year.

Doctor *Laurence* was againſt the reſolution for taxing perſons

ſons who ſhould come to reſide in the country ſo ſhort a time as ſix months.

Mr. *Long* ſaid, that it was found that the ratio taken laſt year, relative to the farmers, was not a juſt one; and therefore that they were not taxed to the amount they ſhould have been. One great improvement in this bill would be the power given to Commiſſioners to ſurcharge.

Mr. *Vanſittart* ſaid, the reaſon why many farmers had not paid the tax was, that their incomes did not amount to 60l. a year.

The *Speaker* obſerved, that the whole of this diſcuſſion was irregular; as the queſtion was that the reſolutions be read a ſecond time.

Mr. *William Smith* perfectly concurred in the obſervations relative to order as made from the Chair: but wiſhed to be permitted to obſerve generally, that in reſpect to farmers it did not appear to him the regulations now propoſed were exceedingly ſevere; whilſt on the other hand the power about to be given to Commiſſioners was abſolutely inquiſitorial. He would oppoſe the meaſure in all its ſtages, but not wiſhing to try too much the patience of the Houſe, he ſhould not that evening purſue his objections into any detail.

Mr. *Vanſittart* and Mr. *Hawkins Browne* wiſhed to ſee the reſolutions printed before they gave their ſentiments at any length on the ſubject of the reſolutions before the Houſe.

Mr. *Roſe* moved an inſtruction to the gentlemen appointed to prepare the bill, that proviſion ſhould be made to diſtinguiſh commercial income from other income—to require partners in trade to be aſſeſſed before the Commercial Commiſſioners—for regulating the mode of aſſeſſing income under a certain ſum, and to levy the duty on perſons who ſhall remove from one diſtrict to another.

Mr. *William Smith* wiſhed perſons to go to Commiſſioners taken from the deſcription of trade to which they might belong.

The *Speaker* obſerved, that the diſtinction might be adopted in a bill founded on the preſent reſolutions, as the inſtruction juſt moved included "perſons in trade."

The inſtruction was now agreed to.

The report of the Committee to conſider of the duties on oil of turpentine, &c. was brought up, agreed to, and bills ordered.

The Houſe in a Committee agreed to a reſolution moved by Lord Hawkeſbury, for allowing a bounty on Rye import-

ed whenever the price ſhall have fallen below 65s. per quarter, to be regulated by the average prices in the London Gazette.—The report was ordered to be received the next day.

The Pawnbroker's bill was read a ſecond time, and referred to a Select Committee.

Sir *Henry St. John Mildmay* gave notice that he ſhould, on Thurſday next, move in a Committee ſome propoſitions founded on the 31ſt of the King, relative to Papiſts.

The vagrant bill was read a third time and paſſed.

The Houſe went into a Committee on the menial ſervants' bill, and having adopted ſeveral reſolutions moved by Mr. Parker Coke, the report was ordered to be received on Monday next. Adjourned.

HOUSE OF LORDS,

WEDNESDAY, MAY 21.

The Houſe met this day at half paſt one o'clock, and went with the other Houſe of Parliament to St. James's, to preſent the joint Addreſs of both Houſes to his Majeſty, congratulating his Majeſty on his miraculous and providential eſcape from the treaſonable attempt which had lately been made againſt his ſacred perſon. On their Lordſhips' return, Lord *Eldon* (who preſided in the abſence of the Lord Chancellor) acquainted their Lordſhips with his Majeſty's moſt gracious anſwer to their Addreſs.

"*Moſt Gracious Sovereign,*

"We, your Majeſty's moſt dutiful and loyal ſubjects, the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, beg leave humbly to approach your Majeſty's Throne, to expreſs our horror and indignation at the late atrocious and treaſonable attempt againſt your Majeſty's ſacred perſon, and our heartfelt congratulations to your Majeſty and to our country on your Majeſty's happy preſervation from ſo great a danger.

"Attached to your Majeſty by every ſentiment which can moſt endear a Sovereign to his people, by the long experience of your Majeſty's paternal affection towards us; by the ſenſe of all the benefits which we derive from your Majeſty's juſt and mild Government; and by our veneration for the diſtinguiſhed virtues which adorn your Majeſty's character, and which are always moſt eminently diſplayed in the hour of trial; we acknowledge with all humility and gratitude the merciful interpoſition of that Providence which has been ſo ſignally manifeſted on this occaſion; and we make it our earneſt prayer to Almighty God, that he will long preſerve to us the ſame bleſſings, and that he will continue to watch over and to protect a life ſo juſtly dear to us."

His

His MAJESTY'S moſt Gracious ANSWER.

"*My Lords and Gentlemen,*

"I receive with increaſed ſatisfaction every freſh teſtimony of that invariable attachment, of which your conduct has afforded me ſo many proofs. The ſteady loyalty and affection of my people animate all my endeavours for their welfare; and I am confident, that I can make no more acceptable return for that protection which has been vouchſafed to me and to my family, than by perſevering in my unremitting ſolicitude for the happineſs of thoſe, whoſe intereſts Providence has committed to my charge."

The order of the day was then read for the Houſe to go into a Committee on the Adultery Bill, and the Houſe having reſolved itſelf accordingly into the ſaid Committee,

Lord *Eldon* roſe and propoſed a variety of verbal amendments to many of the clauſes, in which he truſted their Lordſhips would concur, as they only tended to render the clauſes leſs obſcure and leſs liable to ambiguity or miſconſtruction. Among others, that a man ſhould not be liable to a criminal proſecution for adultery, unleſs the woman he committed adultery with, was at the time living under the protection of her huſband: that the proſecution ſhould be by indictment alone, before a Grand Jury, and carried on by the huſband of the woman ſeduced, and by nobody elſe: and that before the proſecution could be carried on, the huſband muſt have obtained damages in a Court of Record againſt the adulterer.

Lord *Guildford* profeſſed himſelf much ſatisfied with the amendments which had juſt been propoſed by the learned and noble Lord; they in a great meaſure removed his objections to the Bill; he had ſtill, however ſome arguments to urge againſt its tendency, but as he underſtood that the general principle of the Bill was to be fully diſcuſſed on the report, he would reſerve for that occaſion what objections remained upon his mind againſt the meaſure.

The *Duke of Clarence* confeſſed that he laboured under a variety of difficulties in addreſſing their Lordſhips on the preſent occaſion. He felt he had to addreſs thoſe who were more frequent in their attendance than he was, and who were far more converſant with the rules and order of Parliamentary proceedings. Moreover, the high veneration he entertained for the learning, wiſdom and integrity of the learned Lords, and more particularly for thoſe who ſo ably preſided over that Houſe, involved him in additional embarraſſment, when on a point ſo delicate and intricate as the preſent, he preſumed to differ in opinion from them. He had

already indeed offered his ſentiments upon the meaſure now under their Lordſhips' conſideration, but he thought that in every ſtage of it, it was open for him ſtill further to explain the motives and reaſons on which he reſted his oppoſition to it, as he regarded the different ſtages through which it paſſed as ſo many opportunities of renewing an adjourned debate. He would now, therefore, point his oppoſition more particularly againſt that clauſe of the Bill which went to conſtitute the committing of adultery a miſdemeanour, and to authoriſe its being proceeded againſt as ſuch. The admiſſion of this clauſe would, in his humble opinion, produce a very material alteration in the exiſting law of the land, which, if poſſible, ſhould be avoided, or not reſorted to without the moſt urgent neceſſity. The crime of adultery was, no doubt, a crime of the moſt heinous nature: it was ſaid that of late it had much encreaſed; that the encreaſing number of Divorce Bills was an obvious proof of it. This, he muſt own it, was a plauſible argument, but it did not make upon his mind the ſame forcible impreſſion which it ſeemed to make on that of many noble Lords; though he ſincerely lamented that a crime ſo pernicious to the morals and good order of ſociety ſhould exiſt at all, if a ſeverer puniſhment was to be inflicted upon this crime, it was his wiſh that its encreaſed ſeverity ſhould rather fall on the man than on the woman; but this would not be the caſe under the operation of the meaſure now propoſed. There was another conſideration to which he begged leave to ſolicit the attention of their Lordſhips. It was doubted whether the crime of adultery was not more frequently committed by perſons in higher life, than by the middle and lower claſſes of ſociety; he would leave it to thoſe who had better means of information, to decide upon this point. He would only contend that the perpetration of the crime ſeemed to fix a greater ſtigma on the higher than on the lower claſſes. The propoſed puniſhment of fine ſeemed to have the higher rank of ſociety more particularly in view, and it might be wiſe and politic to conſider how far it might be proper to aim a legiſlative meaſure againſt the dignified Orders of the State, as, by affecting their dignity, we might affect the general morals and dignity of the country at large. His objections were ſtrong againſt this clauſe, but he was not prepared to ſay that he would divide the Houſe upon it.

Lord *Eldon* ſaid, that in the ſhare he had taken in drawing up the Bill he endeavoured as much as poſſible to put it into

ſuch

ſuch a ſhape that one general clauſe might contain the principal points objected to, and thus obviate the neceſſity of having particular objections urged againſt each particular clauſe. In making the parties liable to fine or impriſonment, or both, as it might ſeem expedient to their Lordſhips' wiſdom, he left it open to their Lordſhips to diſcuſs which might be the more proper puniſhment, and when either might be more properly applied. There were many caſes where no fine could be inflicted; there might be others perhaps where impriſonment could not well be reſorted to; but it was a maxim in the law, that he who cannot pay in purſe muſt pay in perſon. This maxim might often guide the diſcretion of the Court, to whom the diſcrimination of the puniſhed ſhould be left, and who cannot be ſuppoſed to inflict fine or impriſonment but where they imagined either was more particularly called for by the nature and circumſtances of the caſe. Courts of Juſtice were, no doubt, preſided over by men who, by the common condition of human nature, were liable to miſtakes. But if this diſcretion was taken from them, there would be an end to the whole ſyſtem of our laws, and their adminiſtration would loſe thoſe prominent features which diſtinguiſh the Conſtitution of this country from that of all others, and give it ſuch a high and enviable pre-eminence. The caſes where the puniſhment of fine or impriſonment ſhould be preferably adopted ſhould be entruſted to their diſcernment and diſcretion, and in ninety-nine caſes out of an hundred it would appear that this diſcretion was not abuſed.

The *Duke of Clarence* expreſſed much ſatisfaction with what had fallen from the learned Lord, and panegyrized in a very high ſtrain the integrity and abilities of that learned Lord, and thoſe that ſo eminently diſtinguiſhed the learned Judges who now preſided in the different Courts of Juſtice. His Royal Highneſs concluded by aſking, whether the man, who was found guilty of adultery, ſhould be liable both to fine or impriſonment, and alſo to an action of damages, according to the law as it now ſtood?

Lord *Eldon* ſaid that he had heard a great variety of opinions upon this queſtion; but as far as his own mind was made up upon it, it was not his intention or wiſh to alter the law as it now ſtood. By the infliction of fine, or impriſonment, ſatisfaction might be made to the public and to ſociety at large, for the offence committed againſt their general intereſts; but this would be no ſatisfaction to the individual.

dividual. If a perſon in the middle or lower ranks of life is deprived of a wife whom he loves, and in her of a guardian to the youth and ſuperintendant of the education of his children, not only are his feelings wounded in the tendereſt point, but he is expoſed to many and great expences, to which, if that proteƈtreſs of his family had been permitted peaceably and innocently to remain with him, he would not have been liable. How was he to be indemnified for ſuch expences, if an aƈtion of damages could no longer be reſorted to? This was a point to which he would give further conſideration; he would now only obſerve again, that every individual in the country, however humble his condition, was reſpeƈtable in the eye of the law, while the conſtitution, by one of its beſt and moſt valuable excellencies, particularly diſtinguiſhed the different gradations of rank.

A long converſation then took place between the Earl of Weſtmoreland, Lord Mulgrave, and Lord Eldon. The former contended that ſeveral clauſes in the bill tended to bind up the hands of future Parliaments; the latter learned Lord aſſerted the contrary.

Lord *Grenville* ſaid he could ſee nothing improper in the clauſe that had been ſo much objeƈted to. It would by no means limit the omnipotence of Parliament, as it might be repealed at any future period. It would ſerve a very beneficial end, in giving notice to parties not to apply for what they were unlikely to obtain; and thus ſaving them much unneceſſary expence, trouble and anxiety. The caſe was exaƈtly ſimiliar to that mentioned by the noble and learned Lord, with regard to naturalization. If a clauſe of this nature were not introduced into bills, for divorcing a man from his wife, *a vinculo matrimonii*, the would be at liberty to marry her ſeducer. It was likewiſe proper that the attention of Parliament ſhould be direƈted to every particular caſe, that they might diſtinƈtly examine into its merits. Perhaps there might be inſtances where it might be expedient to relax from their uſual ſeverity, and allow a clauſe to be introduced for permitting the parties to intermarry; and he ſhould be ſorry if their Lordſhips ſhould not be at liberty to exerciſe ſuch lenity upon a proper occaſion.

Lord *Mulgrave* and Lord *Grenville* mutually explained.

The Earl of *Weſtmoreland* ſaid, that the noble Lord ſeemed to underſtand the clauſe to be nothing more than a ſtanding order of the Houſe, and he believed the noble Lord was right in ſo thinking. But if it was to ſerve no other end, would it

not

not be much better to make a ſtanding order for that purpoſe, and not to paſs a legiſlative act where it was altogether unneceſſary?

Lord *Guildford* ſaid, that the ſolemn act of the two Houſes of Parliament would have a much more powerful effect than a ſtanding order of one of them could poſſibly have. Orders, it was well-known to their Lordſhips, were frequently evaded.

The Duke of *Clarence* begged that it might be underſtood, that if he made no farther objection to this clauſe, he by no means approved of it, and he hoped that this acquieſcence would not preclude him from delivering his ſentiments on the parts of the bill which were to follow.

Lord *Hobart* ſaid he was glad to ſee that the meaſure was ſo feebly oppoſed, as he was convinced it would prove moſt ſalutary and beneficial.

The queſtion was then put, and the clauſe agreed to without a diviſion.

The clauſe being read, which enacts that from and after the paſſing of the bill, it ſhall not be lawful for any woman to marry the man on whoſe account ſhe has been divorced from her huſband, and declares that ſuch marriage ſhall be null and void,

Lord *Mulgrave* roſe to oppoſe it. He ſaid that in the preſent ſtate of the Houſe, when it was ſo thin, and from the diſpoſition of the Houſe, which he feared was againſt him, he would now trouble their Lordſhips but for a few moments, particularly as the ſubject had been ſo often and ſo ably diſcuſſed on former occaſions, and future opportunities would ſtill occur of diſcuſſing it ſtill farther. But he could not let a clauſe containing proviſions ſo unjuſt, cruel and impolitic, paſs without again expreſſing his diſapprobation of it, and beſeeching their Lordſhips to pauſe before they agreed to it. He approved, he highly approved, of the firſt clauſes of the bill. It was moſt juſt and moſt expedient that the adulterer ſhould ſuffer for his wickedneſs. But he felt greater abhorrence at the latter clauſes, than admiration at the firſt, and if they were to be be included in the ſame bill, he muſt feel it his duty to vote againſt a bill which would be the cauſe of much greater miſchief than advantage. The effect of this clauſe would be to render hundreds of unhappy deluded females, forlorn, vicious and wretched, without leſſening in any degree the frequency of the crime it was meant to reſtrain. In his opinion, it would rather render it more frequent,

quent, as one of the great obſtacles in the way of the ſeducer would ceaſe to exiſt, and his guilt could not bring upon him the infamy of marrying the woman who had proved unchaſte. A criminal who was condemned for horſe-ſtealing, once ſaid to the judge, when he was brought up to receive ſentence, that he thought it very hard that the life of a man ſhould be ſacrificed for having merely ſeized a horſe which did not belong to him; when the learned judge very properly replied, that the priſoner was to be hanged not for having ſtolen a horſe, but that horſes might not be ſtolen. Could an anſwer of a ſimilar nature be made to an unfortunate woman when ſhe complained of the weight of the puniſhment inflicted upon her? Inſtead of preventing the crime, this puniſhment tended to promote it. When ſhe who has been ſeduced from her duty is prohibited from receiving protection from her ſeducer, what awaits her but a life of infamy: Caſt out by her huſband, abandoned by her relations, forſaken by her children, friendleſs, deſtitute and forlorn; cut off from all poſſibility of again mingling in ſociety, ſtung with remorſe for her miſconduct, eager to return to the paths of virtue, but deprived of all means of earning an honeſt livelihood or virtuouſly enjoying the ſmalleſt comforts of life, what remained for her but a ſtate of perpetual ſolitude or a ſtate of perpetual fornication. Could it doubted which ſhe would prefer? Conceive then a woman fallen from ſplendour and affluence leading the miſerable and degraded life of an abandoned proſtitute, who, had it not been for this bill might have waſhed out her ſins by the tears of repentance, reſumed her rank in ſociety, and continued through life virtuous and happy herſelf, and proved a comfort to others, a tender mother, a faithful wife, and a uſeful friend. There was an expreſſion which on a former night had fallen from a right reverend Prelate, which called, and the more on that account, for clear explanation. He had ſaid, that by the laws of the country, a woman who had been divorced and had married again, lived in a ſtate of adultery. What! was the legitimacy of the children of many of the firſt families of the kingdom to be called in queſtion? Some proviſion with regard to this point ought to be introduced into the bill; but nothing could render it expedient, and he ſhould ſtrenuouſly oppoſe it to the laſt.

Lord *Hay* (Earl of Kinnoul) ſaid, that he approved of the firſt clauſes of the bill on the ſame grounds with the noble Lord, and on the ſame grounds he diſapproved of the latter.

It

It was highly improper that the ſeducer ſhould not be made to marry the woman he ſeduces. He therefore hoped the noble Lord would conſent to leave out that clauſe.

——Nec lex eſt juſtior ulla
Quam necis artifices arte perire ſua.

Lord *Eldon* denied that the adulterer would eſcape unpuniſhed. Beſides, to talk of puniſhment was abſurd, as the object of law was not to puniſh crimes but to prevent them. The only queſtion for their Lordſhips to conſider was, whether the frequency of adultery would, or would not, be diminiſhed by the preſent bill?

The *Biſhop of Rocheſter* ſaid, he did not then mean to debate the clauſe at length, againſt which ſo much objection had been urged, though he would maintain by argument, on the third reading of the bill, that it was not a clauſe of puniſhment, but a clauſe of prevention, and he was not a little ſurpriſed at hearing from the noble Lord who ſpoke laſt but one (Lord Hay, Earl of Kinnoul) on application to the noble Lord, who originally introduced the bill, to leave out that clauſe, which was in fact the moſt eſſential of the whole bill, becauſe it was that which, in his conception, was calculated efficaciouſly to prevent the crime of adultery. The bill when firſt brought in had been objected to, upon the ground of its inequality, becauſe it went merely to puniſh the adultreſs, and not the ſeducer: now that this objection was cured, by ſubjecting the adulterer to a criminal trial for a miſdemeanour, puniſhable by fine or impriſonment, and the bill was made to operate on both parties, the noble Lord deſired that the bill might once more be made unequal, by only letting thoſe clauſes remain that went to puniſh the adulterer. He had been miſunderſtood, the Biſhop ſaid, by the illuſtrious Duke who had juſt ſat down, when he ſtated, the he (the Biſhop) had aſſerted, that, as the law now ſtood, the divorced wife married to her ſeducer lived in adultery, and her offſpring were baſtardized: he had made no ſuch aſſertion, well knowing that by the law of the land ſuch marriage was at preſent legal, and the children legitimate. Speaking, however, on matters of law, he muſt conſider himſelf reſpecting them as an unlearned man, compared to the high authorities of noble and learned Lords. But there was one part of the law with which he was better acquainted, viz. the eccleſiaſtical law, and he knew that by the law of God, the woman who married the man that had committed adultery with her, did continue in the

commiſſion of a foul crime. That aſſertion he would ſtand by, and maintain it whenever it was called in queſtion.

With regard to what the illuſtrious Duke had ſaid, of his taking objection to the baſtardizing clauſe in divorce bills, he had uniformly done ſo, as often as he had been in the Houſe, when divorce bills had been under conſideration; and he ſhould continue ſuch clauſes, becauſe he conceived that the Houſe had no right to take upon itſelf the deciding that the iſſue, born of a married woman during her coverture, were illegitimate. It was matter that muſt come before a much higher tribunal than that of man.

The *Duke of Clarence* ſhortly replied, and defended the noble Lord in the green ribbon from the objection which the reverend Prelate had ſtated to his argument againſt the clauſe in queſtion. His Royal Highneſs maintained that the clauſe in queſtion was highly objectionable, and that his noble Friend (Lord Hay) was right in aſſerting, that the Bill would be more likely to paſs without oppoſition, if that and the two ſubſequent clauſes were omitted. With reſpect to the reverend Prelate's deeming himſelf an *unlearned* man on ſubjects of law, he believed that opinion was peculiar to himſelf, as all their Lordſhips knew how full of general ſcience the reverend Prelate's mind was; but that although he had declared that he knew the eccleſiaſtical law better than the common law, and therefore would maintain that the woman who married her ſeducer, continued to live in the commiſſion of the foul crime of adultery, he hoped, ſpeaking with all due deference, he might entertain a different opinion. He would, however, take the liberty to ſtate the grounds of his objections to the clauſe more at large on the third reading of the Bill.

Lord *Hay* ſaid a few words in explanation of his former argument.

The Earl of *Guildford* ſaid, he did not mean at that time to debate the clauſe; he roſe merely to repeat his objections to it, viz. that it tended rather to encreaſe the number of adulteries than to diminiſh them, becauſe it almoſt compelled the unfortunate woman who had been divorced, to continue to live in a ſtate of adultery with her ſeducer, by excluding her from the beſt poſſible means of enabling her to be reſtored again into decent ſociety. As to what the learned Prelate had ſaid, that by the law of God, a woman marrying the adulterer would continue in the commiſſion of a foul crime: he would not contend what was the law of God with

with him, but he hoped, and believed, and knew, that the tribunal which would decide upon the nature of ſuch her offence, would judge with mercy. A noble Relation of his had ſaid, that he foreſaw the amendments made that day would ſhorten debate upon the bill, by removing moſt of the objections to it. As the beſt means of putting an end to oppoſition to the bill, the Earl recommended to the noble mover of the bill to agree to leave out the objectionable clauſes.

Lord *Grenville* roſe, not, he ſaid, to go into long argument in defence of the clauſe in queſtion, but merely to repeat, as the noble Earl had done, in a general way, his reaſons for thinking the clauſe highly important to the cauſe of virtue and morality, which were undoubtedly conſiderations of a paramount nature to that of the ſituation of a wife, who had deviated from her duty, and violated her ſolemn contract at the altar. The clauſe had, in his mind, been well ſtated by his noble and learned Friend, not to be a clauſe of direct puniſhment, but a clauſe of prevention, operating through the medium of puniſhment. Such, in fact, it was, and therefore a moſt eſſential part of the bill. Nor could he help expreſſing his ſurprize, that noble Lords, ſo well inclined towards the promotion of general morality, as he was happy to know his noble Friend (Lord Mulgrave) and the other noble Lords were, who objected to the clauſe, ſhould waſte their ingenuity by conjuring up arguments to excite falſe pity for a female, who by her own criminal act had put herſelf into that ſituation which they ſo feelingly deplored.

The clauſe was agreed to.

The next clauſe paſſed without objection.

Upon the laſt clauſe, "That enacting, that no bill ſhould hereafter be exhibited for diſſolving any marriage, or contract of marriage, unleſs there be a clauſe, or particular words therein, declaring that it ſhall not be lawful for the perſon, on account of whoſe adultery ſuch marriage ſhall be ſo diſſolved, to intermarry, &c. with the perſon named in ſuch bill, as the perſon who has committed adultery with the party complained of &c. &c."

The Duke of *Clarence* ſaid, as every noble Lord agreed that that part of the bill, though it was a public bill, might be counteracted and ſet aſide by any private bill of divorce, he thought it leſſened the effect of the bill by enacting a kind of ſtanding order, liable to be departed from in future practice.

Lord *Auckland* did not mean to detain the Committee one moment; but he roſe before the Committee ſeparated, to give notice that as ſoon as the report was received, he ſhould move that the bill be read a third time on Friday next.

On Lord *Walſingham's* reading the preamble, the Duke of Clarence objected to it as incompatible with the clauſes.

The preamble was however agreed to; and as ſoon as the Houſe was reſumed, the report was read by the Chairman and agreed to. Adjourned to Friday next.

HOUSE OF COMMONS.

WEDNESDAY, MAY 21.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to ſeveral private bills without any amendment.

Mr. *Roſe* brought up the report of the Committee appointed for the purpoſe of taking into conſideration the propriety of allowing a bounty on rye corn to be imported. The reſolution paſſed on that head in the Committee the preceding day, was agreed to, and a bill ordered to be brought in purſuant thereto.

An account from the Exciſe Office was brought in of the monies paid by the Commiſſioners into the Exchequer, during the year ending January 1, 1800.

An account from the cuſtoms was brought up, purſuant to an order for that purpoſe, of the quantity of coals imported from Scotland.

UNION WITH IRELAND.

Mr. *Roſe* moved, That the order of the day for taking into further conſideration his Majeſty's meſſage on the ſubject of the Union be poſtponed till Friday next, on which day the countervailing duties would be brought forward.

Mr. *Hobhouſe* was deſirous to have a longer time for conſideration of the ſubject. He ſaid that an hon. Member, who was a friend of his, and Member for a very conſiderable manufacturing town, would be glad of an opportunity of delivering his ſentiments on the ſubject of thoſe countervailing duties, but that it was not in his power to attend on Friday, and he therefore hoped the right hon. Gentleman would poſtpone the buſineſs till next week.

The *Chancellor of the Exchequer* ſaid that he ſhould always be happy to accommodate any Gentleman as much as poſſible; but, unleſs a very ſtrong caſe could be made out, public

lic buſineſs of ſo urgent a nature as theſe duties, and which had been ſo long before the Houſe, he could not agree to any further delay. The matter, he ſaid, had been already procraſtinated beyond the period which was ſtrictly right according to the preſent poſture of affairs; and in ſo advanced a ſtate of the Seſſion it muſt be clear to every one that any longer delay could not fail to be attended with important conſequences to the intereſts of the Imperial Union.

Mr. *Hobhouſe* ſaid that, not being ſenſible of any inconvenience that could ariſe from ſo ſhort a delay, and knowing that his friend could not attend on Friday, he muſt ſtill perſiſt in his requeſt that the order might be poſtponed to a later date.

The *Chancellor of the Exchequer* ſaid that he had received intelligence of the two Houſes of Parliament in Ireland having agreed to the reſolutions adopted by the Britiſh Parliament; and, ſince theſe countervailing duties were the only matters remaining unadjuſted, it muſt be evident to every one that the ſtate of the public buſineſs would not admit of any further delay.

The order was accordingly made for going into the Committee on Friday.

TREATIES WITH FOREIGN POWERS.

The *Chancellor of the Exchequer* gave notice, that he would move, on Friday, in the Committee of Supply, certain propoſitions founded on the treaties between his Majeſty and the Elector of Bavaria.

INCOME TAX.

Mr. *Hobhouſe* gave notice (for his friend, Mr. Tierney), that on Monday next that hon. Member intended to bring forward his motion for the repeal of the Income Tax after the preſent Seſſion.

The *Chancellor of the Exchequer* ſaid, that the hon. Member who gave the notice was certainly the beſt judge of the moſt proper time in which he would wiſh to bring on his motion. There were, however, ſome circumſtances which induced him to wiſh that it might be deferred to a later day. The bill moved for yeſterday would be brought in next day, and it was his intention to move its being read a ſecond time on Friday, and committed on Monday next. The hon. Member muſt therefore ſee, that the notice now given would interfere with the procedure of that bill.

Mr. *Hobhouſe* replied, that if it was found neceſſary, the motion

motion might on that day be deferred—and Mr. Tierney's motion was then put down for Monday. Adjourned.

HOUSE OF COMMONS.

THURSDAY, MAY 22.

The *Speaker*, upon taking the chair, acquainted the Houſe with his Majeſty's moſt gracious anſwer to their addreſs.

Mr. *Gaſcoigne* gave notice that on Monday next he ſhould ſubmit a motion to the Houſe for amending the 9th of Queen Ann and the 2d of James I. in order to prevent butchers from damaging the hides of oxen, and to enforce ſome new regulations reſpecting the tanning of leather.

The Cart and Waggon drivers' Regulation Bill was read a ſecond time, and ordered to be committed.

The Colliers and Coal-mine Regulation Bill was read a firſt time, and ordered to be read a ſecond time the next day.

The Lottery Bill went through a Committee, and the report was ordered to be received the next day.

The Houſe went into a Committee on the bill for allowing a drawback on ſugars exported, and permitting Britiſh plantation ſugar to be warehouſed for a time to be limited till the month of March next.

Sir *Wm. Pulteney* obſerved, that it appeared to him as if a preference was given to Eaſt-India ſugar over that of Weſt-India produce. The former paid a duty *ad valorem*; the latter according to weight. It muſt be obvious, however, that the ſame weight muſt, under different circumſtances, be of different value, and that weight therefore was not ſo fair a criterion as value. In his opinion the principle that had been applied to tea ſhould alſo be applied to ſugar, and that an *ad valorem* duty only ſhould be put upon both.

Mr. *Roſe* ſaid, that Eaſt-India ſugar not only paid an *ad valorem* duty, but was alſo liable to a rated duty, which, when taken together, would leave no material difference between the ſums paid on the ſugars of Eaſt-India and Weſt-India produce. If circumſtances required it, undoubtedly ſome new regulation would be neceſſary on this point, but he begged the Committee to recollect that the meaſure now propoſed was but of a temporary nature, and would ceaſe in the month of March next.

The Houſe was then reſumed, and the report ordered to be received next day.

The Rye Importation Bounty Bill was read a firſt time, and ordered to be read a ſecond time the next day.

A new

A new writ was iſſued for a Member to ſerve in Parliament in the room of William Stewart Roſe, Eſq. who has accepted the Chiltern Hundreds.

ROMAN CATHOLICS.

Sir *H. P. S. Mildmay*, purſuant to a notice which he had given, moved that the Houſe do reſolve itſelf into a Committee, to conſider of the 31ſt of the King, as far as it reſpected French emigrants, and ſeveral other acts that had been paſſed for regulating Popiſh monaſtical eſtabliſhments in this country.

The Houſe having reſolved itſelf into the ſaid Committee,

Sir *H. Mildmay* ſaid, that in bringing forward the motion which he was about to ſubmit to the Houſe, he was not actuated by any bigotted zeal or ſpirit of perſecution. Conſiderable alarm had gone abroad through many parts of the country, not only at the eſtabliſhment of many Popiſh monaſtic inſtitutions, which had of late been removed to this kingdom in conſequence of the perſecution which they had met with from the French revolutioniſts, but more particularly at many attempts that have been made by the Popiſh emigrants, and even the Engliſh Roman Catholics who formerly reſided abroad, to gain an aſcendancy over the minds of weak or uninformed perſons, and ſeduce them into an adoption of the monaſtic life. This was often done in nunneries more eſpecially, which, under the appearance of being ſeminaries of education for females of the Popiſh perſuaſion, induced their pupils to embrace the monaſtic life, and thus do an eſſential injury to the intereſts of ſociety. In order to prevent any further abuſe from ſuch a miſtaken and miſchievous zeal for proſelytiſm, he begged leave to move the following reſolutions:—

That the temporary reſidence of all perſons belonging to Popiſh monaſtic inſtitutions in this country be under the controul of the Alien Act.

That the admiſſion of new Members into ſuch inſtitutions be prohibited.

That the number and names of all perſons belonging to ſuch inſtitutions be returned at the Quarter Seſſions of the diſtrict in which they reſide; and

That all perſons keeping ſeminaries of education of the above deſcriptions, ſhall give in annually the number and names of their pupils, and the names and places of abode of their parents, and that ſuch ſeminaries be liable to be inſpected by the Magiſtrates of the diſtrict whenever it ſhall appear proper to them ſo to do.

Mr. *Newbolt* ſpoke ſhortly with conſiderable neatneſs, but became ſo much embarraſſed that he could not proceed. We believe

believe it was his first attempt. He ſtated that he could confirm the fact of many perſons being induced to leave the Proteſtant profeſſion by the perſuaſions of the Catholic Prieſts, and that a conſiderable degree of alarm had prevailed in the country upon the ſubject. The prieſts, many of them, were very zealous in making proſelytes, and not uncommonly ſucceeded. With reſpect to the other point, he thought it extremely neceſſary to ſtop the admiſſion of novices into the monaſtic inſtitutions.

Mr. *Jones* ſaid, he lately ſaw nearly the whole Bench of Biſhops aſſembled at the Meeting of the Sons of the Clergy, and ſpeaking to two or three with whom he was acquainted, they agreed with him that it was very neceſſary that ſomething ſhould ſhortly be done; for, to his knowledge, the Prieſts had converted to their faith many farmers, and many of the lower orders of the people.

Mr. *Hobhouſe* ſaid, that nobody who had heard the hon. Baronet could object to the motives which had induced him to come forward upon the preſent occaſion. He only roſe to ſay, that if the meaſure in its effects ſhould hereafter ſeem likely to trench upon the ſpirit of toleration, which diſtinguiſhed this country, he reſerved to himſelf the liberty of oppoſing it. At preſent he could not make up his mind; but he could not diſmiſs the ſubject without ſaying that he thought that the matter had better be left to the Executive Government, which by the powers of the Alien Act could ſend away any Emigrant they might ſuſpect of ſo far abuſing our protection, as to endeavour to pervert our people from their religion.

The *Chancellor of the Exchequer* ſaid, it was impoſſible to ſuppoſe that the motion any way trenched upon the ſpirit of toleration. It was no part of the toleration of this country to ſuffer Monaſtic Inſtitutions at all; and all that the hon. Baronet's motion went to was, to prevent thoſe eſtabliſhments from being recruited from the Catholics of this country. As to the other point, of the remedy poſſeſſed by the Executive Government under the Alien Act, it by no means applied. The Alien Act was meant to give Government a power to remove thoſe Aliens who were ſuſpected of machinations againſt the State, and whoſe preſence was thought dangerous; but while the law did not forbid Prieſts to make converts (if the law was ſo), it was not within the execution of the fair ſpirit of that Act to remove men for doing that which the law did not forbid them (if the law did not forbid

forbid them. Much better was it to warn them by a meaſure of the preſent ſort, and inſtead of uſing a puniſhment which was harſh, bring forward a prohibition which was mild. Therefore, he ſaw with extreme ſatisfaction, the temper and moderation with which the hon. Baronet had brought forward his plan.

Dr. *Lawrence* thought that there was not ſufficient diſcrimination made amongſt the Catholics.

Mr. *Hobhouſe* quoted a ſtatute of James I. which made it treaſon to reconcile any perſons to the See of Rome. He thought that ſtatute ought to be repealed, if the preſent law was paſſed.

Mr. *Bragge* ſaid, if he underſtood the motion right, it was to permit thoſe who had been Monks, Nuns, and Friars at home, to continue ſo here, but that they ſhould not be recruited from this country.

Mr. *Hobhouſe* ſpoke a few words in reply.

The report was ordered to be received the next day.

INCOME TAX.

The *Chancellor of the Exchequer* brought in the Income Bill, which was read a firſt time. He next moved that it ſhould be read a ſecond time the next day; and as he preſumed Gentlemen would wiſh to debate it in the Committee, he gave notice, that he ſhould the next day move for the Committee on Monday. The Bill was then ordered to be printed.

The *Chancellor of the Exchequer* gave notice, that the next day he ſhould move for the Houſe to go into a Committee of Supply.

The Blubber-boiling Bill and the Rye Importation Bill were read a firſt time, and ordered to be read a ſecond time the next day. Adjourned.

HOUSE OF LORDS,

FRIDAY, MAY 23.

A meeting at the very extraordinary early hour of ten o'clock took place, purſuant to an arrangement made on Wedneſday night, when their Lordſhips proceeded to read the ſeveral bills before the Houſe in their reſpective ſtages.

The report of the Adultery Bill was received, the amendments agreed to by the Houſe, and the bill ordered to be engroſſed and immediately printed for the uſe of their Lordſhips.

The Houſe then adjourned until five o'clock P. M. At that hour the attendance of Peers was very full. On prayers being read, the ſtrangers were, as uſual, excluded, and were not admitted for a conſiderable time; in which interval a great number of public and private bills were brought up from the Houſe of Commons by different Gentlemen, and ſeverally read a firſt time.

DIVORCE BILL.

Lord *Auckland* roſe to move the order of the day for the third reading of this bill. He ſaid that, before moving that the bill be read a third time, he ſhould take the liberty of ſaying a few words reſpecting a meaſure which had produced conſiderable diſcuſſion, and endeavour to anſwer the objections that had been urged againſt it. He muſt begin with ſtating that, in the courſe of many years' obſervation, he had ſeen reaſon to form an opinion highly favourable to the general character of their Lordſhips' Houſe. He had ſeen that it contained as much of virtue, of religion, of true regard for the intereſt of morality, as any aſſembly that ever exiſted: their Lordſhips were men of enlightened minds improved by education, accuſtomed to reaſon, and guided in their proceedings by the beſt and moſt ſalutary principles. Conſidering theſe things, he confeſſed he was ſomewhat ſurpriſed at the oppoſition which had ariſen to a bill which involved in it the great intereſts of religion and morality, and, as far as he could judge, was founded upon the cleareſt principles of general utility and ſtrict juſtice. About twenty years ago a bill containing preciſely the ſame proviſion which now had experienced the greateſt oppoſition had paſſed their Lordſhips' Houſe without difficulty; and he thought that the circumſtances of the times, and the ſtate of the caſe itſelf, to which the bill was intended to apply, would have tended ſtill more to produce unanimity. He felt ſome ſurpriſe at this, but he was far from imputing any improper ſentiments upon this important ſubject to any noble Lords who differed from him reſpecting it. He was convinced that all their Lordſhips were deſirous to promote the cauſe of religion and virtue, though it was evident that there was a difference as to the means by which it was to be effected. If thoſe who oppoſed the bill were entitled to the utmoſt credit for the purity of their motives, he truſted that he himſelf, and thoſe who thought as he did, would meet with the ſame candour, and would not be accuſed of any overweening, unreaſonable

ſeverity

ſeverity in their endeavours to maintain the cauſe of morality, and to guard againſt the extenſion of a crime of the moſt fatal conſequence to the intereſts of ſociety.

With reſpect to the neceſſity of ſome legiſlative proviſions upon the ſubject, little attention to the progreſs of the evil would be ſufficient to prove how ſtrongly the remedy was called for. He had taken the trouble to examine into the matter, and he found, by the records of the Houſe, that the number of applications for divorce had very much increaſed of late years. He had found, that during the laſt ten years, the number had increaſed beyond any former example, and that the laſt year of that period had been more diſtinguiſhed than the firſt by the frequency of divorce bills. During the ſix Seſſions ending in 1795, there had been thirteen divorce bills paſſed. During the four Seſſions ſince 1795 there had been no leſs than twenty-nine. He had found too, upon examination, that during the laſt Seſſion, their Lordſhips had been ſummoned very near forty times; and, conſidering the ſmall number of times they had been ſummoned upon any other buſineſs, he thought that this ſtatement excuſed what ſeemed a libel upon their Lordſhips' Houſe, in the quotation he had made from Cowper, that—

> ——————— Senates ſeemed
> For purpoſes of Empire leſs convened,
> Than to releaſe th' adultereſs from her bond.

Beſides the ſtriking neceſſity of the caſe, apparent from the records of their Lordſhips' proceedings, he had the ſatisfaction of ſeeing that the bill had the ſanction of the ſages of the law, whoſe experience in the courts enabled them to form a correct opinion on the ſubject. There was another ground which he confeſſed had a very great effect on inducing him to bring forward the bill. It was one which there was ſome delicacy in ſtating, but every noble Lord muſt be aware of the circumſtances to which he alluded. They had but to look at ſociety around them, and they muſt perceive how neceſſary it was to guard the ſacred diſtinction of character in the intercourſe of life. This muſt appear a matter of infinite importance to thoſe who were ſenſible of the neceſſity of guarding againſt the danger of example, and the conſequences of breaking down the ſafeguards of honour.

On a former debate, a Reverend Prelate had been accuſed of throwing doubts upon the validity of the marriages which had taken place between parties in the ſituation of thoſe who by this bill were prohibited to intermarry. The

accuſation, to the extent ſtated, was unfounded. It had been ſaid, and ſo far he was equally liable to cenſure with the Reverend Prelate, that the marriage of the guilty party had never been in the contemplation of the law when bills of divorce were firſt paſſed. There was nothing in the bills authoriſing the marriage of the guilty party. The bill of divorce diſſolved the marriage of the parties to all intents and purpoſes; but beſides the clauſe of diſſolution, there was an expreſs clauſe always introduced to enable the party receiving the indulgence to marry again, but not a word was ever ſaid of the other party. At the ſame time, however, as ſuch marriages had ſo long continued to take place without being called in queſtion, he ſhould conſider it as a moſt groſs outrage now to throw doubts upon their validity. In fact, however, the bill in queſtion admitted the validity of ſuch marriages by guarding againſt them in future; and if any doubt could exiſt upon the ſubject, he ſhould moſt readily concur in any meaſure thought neceſſary for its removal. Since the point had been mentioned, he thought it neceſſary to ſay ſo much upon it.

To the firſt part of the bill the objections had been ſo few and ſo feeble, that little time would be requiſite in anſwering them. He did not mean to trouble their Lordſhips with quoting many authorities, or ſtating at length the laws of other nations reſpecting adultery. He had, however, examined into the legiſlation of moſt other nations, ancient and modern, upon the ſubject, and was more and more convinced that the laws of this country, as they now ſtood, required ſome alteration. The regulation of the Moſaic law was clear and indiſputable, "The adulterer and the adultereſs ſhall ſurely be put to death." It was far from his wiſh that any great ſeverity of puniſhment ſhould be exerciſed againſt the adulterer, but that ſome additional motives ſhould be held out to deter from the commiſſion of a crime ſo deſtructive to ſociety, he was firmly of opinion. The greateſt objection had been made to that part of the bill which prevented the parties from intermarrying. It was ſaid that it left no alternative to the unhappy female but a life of profligacy. He was ſurpriſed how ſuch an argument as this could be uſed. Was it neceſſary, becauſe a woman could not marry the man by whom ſhe was ſeduced, that ſhe ſhould become utterly abandoned? But to what did this argument lead? If once admitted, it followed that as often as the criminal party wiſhed to change hands, as often their Lordſhips were to lend themſelves

ſelves to aſſiſt in freeing her from the bonds of marriage ſhe had diſgraced. Endeavours had been employed too to rouze their Lordſhips compaſſion in favour of the unfortunate female. It was to be recollected, however, that their Lordſhips ought not to allow themſelves to be ſwayed by ſentiment of compaſſion in favour of criminals, when it was propoſed to paſs a general law for general advantage. Then they were to be guided by the rules of juſtice. It was true that in ſome caſes the woman might be an object of compaſſion, but the wholeſome rigour of the law tended to maintain the proper dignity and reſpect of the female ſex, and to guard that purity on which their conſideration depended. Beſides, it was to be obſerved, that the indulgence to marry their paramour, generally aroſe in thoſe claſſes where there was the leaſt extenuation of the crime. Where the injury of the huſband was flagrant, the Divorce Bill paſſed without difficulty; in caſes where his improper behaviour might have been pleaded as a palliation of the miſconduct of the wife, a bill of divorce could not be obtained at all. It might be true that in ſome few, very few, inſtances, the adultereſs became an exemplary wife; but he thought this was preciſely the example againſt which it was moſt neceſſary to guard. This tended to remove from the contemplation of the female the danger of deviating from virtue, and encourage them to the commiſſion of crimes by the hopes of being reſtored to character.

The morals of every country had ſuffered extremely by permitting the adultereſs to reſume the place in ſociety which ſhe had forfeited, and nothing had contributed more to a general diſſolution of manners. Tacitus, in his Tract, *De Moribus Germaniorum*, mentions the ſeverity with which adultery was ſtigmatiſed, and the impoſſibility of a woman ever being reſtored to character after being guilty of it. *Publicatæ impudicitiæ nulla venia.* The ſame author in his account of the manners of this people ſays, *nemo illic vitia ridet, nec corrumpere et corrumpi ſeculum vocatur.* If he was right in conſtruing the word *ſeculum*, it meant ſomething like the faſhion and manners of civilized life; and Tacitus, a perſon of conſular dignity and moving in the higher ſphere of life, probably meant to allude to the diſſolute manners of the Romans, where the crime of adultery had become ſo frequent that it ceaſed to be viewed with horror, or to be ſtigmatiſed by opinion. As to the objection, that men no longer required to marry the woman they ſeduced, would become more general in their debauchery, he could ſcarce think it ſerious; at any rate, if true, it was an additional argument in

in favour of the firſt part of the Bill. Upon the whole, he was convinced that ſome meaſure of this kind was called for by the alarming progreſs of the evil, and that the Bill propoſed would anſwer the end propoſed, without inflicting too ſevere a puniſhment. The circumſtances of the times, peculiarly required attention, to preſerve the foundations of religion and morality. The example of a neighbouring country ought to teach us how eſſential it was to preſerve the moral and religious ſentiments of ſociety, as the beſt ſafeguard againſt all violence in the ſtate. His Lordſhip alluded to the example of thoſe virtues held forth to this country in the higheſt dignity which it contained. After ſeveral other obſervations, his Lordſhip moved that the Bill be read a third time*.

The *Earl of Coventry* expreſſed briefly, but decidedly his diſapprobation of the Bill. The marriage of the Divorced Woman, by her ſeducer might, he obſerved, be regarded as a penalty impoſed upon him by the imperious Laws of Gallantry. Some parts of the Bill, he was ready to ſay, he could approve of: but not knowing how to ſeparate the good from the bad, he ſhould oppoſe it *in toto*.

The *Earl of Weſtmoreland* ſaid, that he had attended with much pleaſure and ſatisfaction to the diſcuſſions upon this Bill, but he was more and more convinced that it would not be attended with the good effects which its framers propoſed. He gave his noble Friend full credit for the goodneſs of his intentions; he was convinced that his object was to promote the beſt intereſts of religion and virtue. He ſhould not take notice of any of the inſinuations that had been thrown out, that the oppoſers of the Bill employed looſe and jacobinical principles againſt it. Such inſinuations were no leſs inconſiſtent with that candour which their Lordſhips ſhould practiſe to one another, than unfavourable to the maintenance of that reſpect which was due to the Houſe from the public. The queſtion was, not whether it was the duty of the Houſe to ſupport the cauſe of religion and morals, but whether the meaſure propoſed was calculated for the attainment of thoſe ends? This point, therefore, he ſhould take the liberty of examining. It had been ſaid that the Bill paſſed ſome years ago by their Lordſhips, prohibiting the marriage of the guilty parties, had been thrown out by the Houſe of Commons. He believed that the Bill was thrown out upon motion to leave

* For a more correct and regular detail of this ſpeech, vide Reports, p. 41.

out

out the word "*not*," and he was ſure that the perſon who made that motion was not a better judge of the legiſlation which this ſubject required, than the ſupporters of the preſent meaſure. Moſes ſeemed to have had the ſame ſentiments when he enacted, that a man who ſeduced a female ſhould marry her. In Deuteronomy it was expreſsly ſaid, "He that lyeth with a damſel ſhall be married to her for all the days of her life." When his noble Friend ſaid that he had examined into the legiſlation of other countries reſpecting adultery and divorce, he expected that he would have adduced the example of Rome, of Spain, of Naples, and of France, to ſhew the efficacy of penal laws to preſerve the purity of morals.

He expected that the example of Scotland, where the marriage of the criminal parties is forbidden, would have been brought forward, but as they were not, he concluded that theſe inſtances did not ſhew that ſuch enactions tended to diſcourage the crime of adultery. In fact, he did not think that the meaſure before the Houſe was peculiarly called for by the circumſtances of the times. He did not think that the crime of adultery had encreaſed in the degree that had been repreſented. It was a common topic of declamation with poets and philoſophers from the time of Homer to the preſent hour, to dwell upon the degeneracy of the age. He ſhould not therefore inſiſt upon ſo threadbare a topic. But it was ſaid that the number of applications for divorces had encreaſed. This was to be accounted for from ſeveral very obvious cauſes. The wealth of this country of late had greatly encreaſed the number of perſons who were able to bear the expence, and divorce bills were therefore encreaſed. The high damages given in caſes of criminal converſation would, no doubt, have weight in bringing a greater number of divorces before the public. He would even aſſert that the virtue of the country was one cauſe of the frequency of divorces. [*A laugh.*] Noble Lords might laugh, but he believed his aſſertion capable of proof. The ſentiments of men had become more delicate, and they could not endure to continue united by wedlock to a woman by whom they had been diſhonoured. It was not matter of ſurpriſe, therefore, if the number of divorces had encreaſed. His noble Friend had ſaid, that to continue to allow the criminal parties to marry was introducing a different code for a privileged caſt, while the inferior claſſes had no remedy. What was the fact however? The preſent meaſure, inſtead of raiſing the lower claſſes

to

to a footing in this reſpect with the higher, the higher were reduced to the level of the lower, and the ſeducer was deprived of the power of making any atonement to the woman he had corrupted. His noble Friend had expreſſed ſurpriſe that it ſhould have been ſaid, that if prohibited to marry her ſeducer, a woman had no alternative but profligacy. That a woman, abandoned as ſhe would be by this bill, muſt be in danger of falling into the loweſt ſtate of vice, was evident. She was deprived for ever of the hope of being reſtored to ſociety, and of every motive that could lead her to wipe away the diſgrace ſhe had incurred. He was of opinion, that taking away the neceſſity which the laws of honour impoſed, of making atonement to the woman ſeduced, would tend to injure rather than to promote the cauſe of morality. With regard to the puniſhment to be inflicted upon the ſeducer, he thought it a matter that deſerved much conſideration. Such an alteration in the laws of the land might be of dangerous example. The conſtitution of this country was jealous of expoſing the liberties of men to the diſcretion of a Judge, however it might be preſumed that ſuch a power would not be abuſed.

It was ſaid that the ſages of the law were in favour of this Bill, but, on the other hand, he ſaw that the principles of the law itſelf, that the maxims of our anceſtors, were hoſtile to it. He was averſe to ſuch an innovation, which he thought was juſtified by no neceſſity, and could be defended by no ſound policy. He oppoſed the Bill, therefore, as a ſpeculation uncalled for, and which might be productive of much miſchief. If it was Jacobiniſm to maintain the eſtabliſhed laws of the country, and the principles of former times, againſt pretended reformation, then thoſe who oppoſed the Bill might be accuſed of employing Jacobinical reaſonings. Upon the whole, as he conceived the Bill to be ſevere in its operation, and particularly hard upon the female; and as he was convinced that it would not be attended with the advantages propoſed, he felt himſelf obliged to vote againſt the third reading of it.

Lord *Carliſle* ſaid, that notwithſtanding this Bill had been already ſo amply debated in every ſtage, he could not think it conſiſtent with his duty to ſit and give a ſilent vote, without expreſſing his diſapprobation of it on the preſent occaſion. If he had no other objection to it, the fact of its going ſo great a length, as an alteration of that code of laws by which our anceſtors had ſo long been guided, and under which the happineſs

happineſs and proſperity of the people of this country had ſo well thriven, would be a ſufficient inducement to him to oppoſe it. Before the Houſe agreed to ſuch an alteration, it became them to pauſe and to reflect ſeriouſly. It was a meaſure of the higheſt importance, and deſerved the moſt marked attention. It had that night been urged, as an argument in favour of the Bill, by his noble Friend who introduced it, that the number of divorces had, within theſe few years, greatly increaſed; but he by no means agreed with his noble Friend in the cauſes he had aſſigned for them, nor did he think the means propoſed by this Bill were ſuch as would provide the remedy that was intended by it. He rather thought it would produce a contrary effect. The various proviſions in the Bill, profeſſed to aim at an amendment in the ſtate of virtue and morality, as they now exiſted in this country; but he by no means thought them calculated for that purpoſe. He held the proviſions of the Bill ineffectual as to its objects: the precipitation with which the meaſure was now urged was reprehenſible: the ſubject deſerved the moſt patient and ſerious inveſtigation. Its proviſions appeared to be of monkiſh ſuggeſtion: there were legal as well as eccleſiaſtical Monks: *(a laugh.)* In ſuch caſes thoſe perſons legiſlated to great diſadvantage: they were too great Recluſes, and lived not enough in the world to know the *ebbs and flows* of the paſſions. He differed with the noble and learned Lord now on the woolſack, and from the Reverend Prelate who had ſo ably ſupported this Bill, and thought, that without the aid of ſuch a Bill, the virtue and morals of the people of this country were as conſpicuous, and carried to as great a height as any nation in the world could boaſt. Where then was the neceſſity for an alteration of the law as it now ſtood on this head? This Bill, in every part, ſhewed the moſt ſtriking tenderneſs for the eccleſiaſtical law; they were to be held ſacred; none of the proceedings of that court were on any account to be touched; they were ſtill to remain in their full force, vigour, and effect, though the municipal law was to undergo ſo great a change. Much however as he reſpected the abilities of thoſe that ſupported the Bill, he thought that perſons who from their conſtant and unwearied attention to their reſpective profeſſions, might be almoſt ſaid to be legal and eccleſiaſtical recluſes, men of monkiſh minds could not, in the nature of things, be ſo converſant with the general affairs of life, as to enable them to judge ſo well on ſuch a ſubject as thoſe whoſe habits in life led them into a more ge-

neral communication with the world at large. It was by no means unfair either, his Lordſhip ſaid, to infer, when ſpeaking of the encreaſe of divorces on which ſo much ſtreſs had that night been laid by his noble Friend, that inſtead of ariſing from an increaſe of vice and immorality, it was more fair to attribute it to the natural cauſe, the increaſe of population, and the great influx of wealth which the vaſt extent of our commerce was daily introducing into the country. He ſaid alſo, that in his opinion, much of the increaſe ſo loudly complained of was, in ſome degree, owing to the great damages which it had been the practice of the learned Lord who preſided in the criminal court of the country, to recommend to the jury, and their uniform acquieſcence in ſuch recommendation. His Lordſhip ſaid, his ſentiments were by no means favourable to the proceedings of the eccleſiaſtical courts, the expences of which were beyond meaſure exceſſive. He mentioned the caſe of a Mrs. Middleton, who contrived to keep her huſband at arms length for nine years, before he could get a divorce *e menſa et thoro*, and then he only did it at the enormous expence of 10 000l. He mentioned alſo Lord Thurlow's opinion, delivered when he was Attorney General, which ſeverely animadverted on them—(*he read a report of it*). He then cautioned the Houſe that they did not by this bill, which, if paſſed, would render women committing adultery perpetually infamous, drive them to deſpair, and putting them to the ſame ſhifts as Mrs. Middleton had purſued, ſo as to defeat the very means of a huſband really injured from getting redreſs at all. His Lordſhip then anſwered ſeveral arguments which had been advanced in previous ſtages of the buſineſs, and concluded by giving his decided negative to it.

Lord *Eldon* ſaid, that after having troubled the Houſe ſo much at length, in the ſeveral debates which have already taken place of this bill, he ſhould be aſhamed to trouble them on the preſent occaſion, were it not for ſome things which had fallen from noble Lords who had lately ſpoken, and particularly of the noble Earl who had juſt ſat down. His Lordſhip then ſpoke at conſiderable length in defence of the eccleſiaſtical courts, and ſaid that however much he reſpected the opinions of the noble and learned Lord, not now in his place —of whoſe particular regard it was his pride to boaſt—yet, were that noble and learned Lord preſent, he would tell him to his face that he differed with him, and would have no fear in arguing the point with him. When any noble Lord can

to the Houſe with ſuch ſevere animadverſions on eccleſiaſtical courts, he wondered he did not come alſo prepared with a clauſe to be added to the bill, for the purpoſe of aboliſhing the eccleſiaſtical courts entirely. His Lordſhip commented on the word recluſes of the law and the eccleſiaſtical profeſſion, and ſaid that he was one of thoſe recluſes, but he contended that they were as competent to judge of the cauſes of the increaſe of divorces, as any other deſcription of their Lordſhips. The noble and learned Lord then went into a defence of the clauſe which empowers the party to proceed, either in an action for damages, or by proſecution, and juſtified it as a proceeding that was abſolutely neceſſary to be adopted. His Lordſhip denied the inference, that the diſcretion uſed by the noble and learned Lord who preſided ſo ably in the Court of King's Bench, was by any means a cauſe of the increaſe of divorces; and juſtified the noble and learned Lord, as having done the greateſt ſervice to his country by the great attention he had paid to theſe caſes whenever they had come before him. The noble and learned Lord was bound by his oath and his duty, to tell the jury what he thought on the ſubject of damages, and in ſo doing, he only exerciſed a diſcretion which the law had veſted in him, and which as often as he had done it reflected on him the higheſt honour. The noble Earl (Carliſle) ſaid that no notice ſeemed in this new bill to be taken of the Eccleſiaſtical Courts, as if they were ſo pure, ſo ſanctified, they were not to be touched, leſt they ſhould be defiled. Did not the noble Earl recollect that there was, and ſtill remained, an order of that Houſe, that no divorce bill could paſs unleſs ſentence was previouſly obtained in the Eccleſiaſtical Court *a menſa et thoro*, and alſo an action of damages maintained in the Courts of Common Law? Theſe were neceſſary before a bill of divorce could be obtained from their Lordſhips' bar. In addreſſing himſelf to the noble Earl who cried out ſo much againſt innovation, he had alſo to ſtate, that the very principle on which divorce bills were paſſed, precluded the woman from marriage. Noble Lords argued too much with an apparent and ſpecious humanity, but very illogically, when they carried all their humanity on the ſide of the injured female. He was ready to confeſs her ſufferings would be conſiderable, but were they not alſo juſt, when in defiance of duty, fidelity, and the nuptial tie of affection, ſhe had violated all thoſe vows which ſhe had made, and when ſhe knew that diſhonour and diſgrace would be the conſequence? But how, his Lordſhip aſked, did

the caſe ſtand now? No noble Lord would ſay, he as one of thoſe ſelf ſame recluſes, could not ſay, that the promiſe of marriage was not one great means of ſeduction, that this promiſe of marriage was not one great means of ſeduction, that this promiſe was acted upon as the means by which the honourable ſeducer, ſo ſtyled, effected his purpoſe; and by which he carried affliction, diſtreſs, and ruin into the boſom of an innocent and honourable family. When every hope of this kind was removed, when the parties ſtood convicted and diſgraced in the eyes of the world, when the example of the mother was ſo ſtriking as to impreſs the younger female branches of the family, that ſuch would be the conſequences of the violation of their faith and duty, when they were called upon to act the part of mothers, then the ſalutary effects of the law would be felt in private families, and in the aggregate family of the State. This extreme degree of pity ſhould then be placed on the ſide of the public, which would render it rational, juſt, and extenſively beneficial, and which indeed was the greateſt pity. Noble Lords laid great ſtreſs upon the abuſes that may be practiſed artfully and ſucceſsfully by bad huſbands againſt their wives, by being at once acceſſary and principals in their guilt. He (Lord Eldon) ſaid, that it was difficult to aſſign to what extent human profligacy may be carried; and for the arguments that were urged to ſhew how ſuch a conduct on the part of the huſband may be contrived, ſo as to defeat the enquiries of the Courts of Law, he ſhould anſwer that the arguments went againſt any regulation whatever. All that Courts of Juſtice could do was to examine upon the beſt evidence that could be obtained, and determine accordingly. The experience which he himſelf poſſeſſed, the ſentiments and opinions of thoſe with whom he converſed, and the alarming and increaſing abuſes which had of late grown to ſuch an enormous exceſs, led him to feel and expreſs the ſtrong neceſſity of the meaſure now before their Lordſhips. Should their Lordſhips, after this meaſure was propoſed and proceeded on to ſuch an extent, reject it, in his opinion the miſchief would be incalculable; the public morals loudly called upon their Lordſhips for ſuch a meaſure, they prepared the public for its reception, and ſhould it now go abroad that a meaſure, after ſo much diſcuſſion, was rejected, he was ſure this evil would encreaſe to the ruin of public and private virtue. He as an individual had well weighed it in all its conſequences, he had given it all the conſideration in his power, and as ſuch he would give it moſt conſcientiouſly

conſcientiouſly his individual vote; retiring from the diſcuſcuſſion of it until he further informed his mind from what their Lordſhips may further ſay upon it.

The Earl of *Carliſle* ſaid a few words in explanation. He aſſured the Houſe that he had never uſed the word diſcretion, relative to the recommendation of the noble and learned Lord preſiding over the firſt criminal court in this country, to the jury to give high damages. He had only ſaid that he thought that recommendation had only ſerved to encreaſe the number of divorces. He was ſorry he had made uſe of the words recluſes, as it ſeemed to be animadverted on by the noble and learned Lord with ſome warmth; but he could aſſure the Houſe that in uſing the word he did not mean the ſmalleſt offence, but only to convey the idea that the great attention they muſt pay to the high and important ſtations they ſeverally filled, they muſt of courſe be in ſuch a ſtate of ſecluſion as to render them not ſo converſant with public affairs in general, as the reſt of the world were.

The Duke of *Bedford* argued againſt the whole principle of the bill, which he aſſerted was a violent alteration of the law, which could not fail to be attended with the moſt pernicious conſequences. He condemned the clauſe which gives the party a right to ſue either by way of action for damages, or by way of proſecution for a miſdemeanour, and which alſo gives the Court of King's Bench a power to make him abide by one of them. His Grace contended that making a man liable to fine and impriſonment at the diſcretion of the Court, was an alteration that would operate the very contrary to what it was intended to do, The bill, if paſſed into a law, would be unjuſt, becauſe it was unequal in its puniſhment, for it puniſhed the woman with greater ſeverity than it did the man. This he thought was moſt cruel, and what he hoped the Legiſlature of this country would not countenance. Much ſtreſs had been laid by thoſe who were the ſupporters of the bill on the laws of Scotland, puniſhing the adulterous parties in the manner intended by this bill: but in his opinion it had been very ably urged by a noble Earl who had ſpoken in the debate, that in Scotland, notwithſtanding the law of prohibiting the adulterous parties from marrying each other, there were full as many, or more divorces than there are in this country. His Grace then proceeded to notice ſeveral of the arguments which had been adduced in the various debates which have already taken place, and inſiſted that they were irrelative to the ſubject. He owned that it was

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deſirable that ſome regulation ſhould be adopted which might tend to diminiſh a crime which, it was much to be lamented, had gained ſo much ground of late years; but then, he ſaid, it ſhould be a regulation adapted to the occaſion, and not one founded in inequality and injuſtice, which he aſſerted this to be. He was of opinion, that not ſuffering the adulterous parties to marry with each other was highly cruel, and extremely impolitic. It was cruel, as it placed the woman in a ſtate of perpetual infamy; it was impolitic, becauſe it would put them upon every poſſible means of defeating a diſcloſure of their crime. He looked upon it, that great numbers of thoſe who had been hitherto divorced had been diſcovered from the careleſſneſs and indifference of the parties, which indifference would be taken away if this puniſhment was to be inflicted. His Grace then adverted to the argument of the noble and learned Lord on the woolſack, which he anſwered at ſome length, and hoped the Houſe would never for a moment admit that part of it which urged their Lordſhips to paſs this bill, and which aſſerted, that if they did not, the moſt miſchievous conſequences would reſult from its having been introduced at all. His Grace concluded by ſaying the bill ſhould meet with his decided negative.

His Royal Highneſs the *Duke of Cumberland*, in a maiden ſpeech, expreſſed his diſſent to the bill. With reſpect to the laws, as they now ſtood, his Royal Highneſs ſaid, that in his opinion they bore ſufficiently ſevere already on the woman. When he conſidered the arts and blandiſhments of the ſeducer, and the ſituation into which the ſex may be betrayed by his deſigns, he thought her condition a caſe rather of commiſeration than ſeverity of the Legiſlature. It was alſo doubtful whether the regulations propoſed to be enacted would be productive of the effect, and it was to be feared much miſchief would be produced by them. His Royal Highneſs ſaid he thought much ſtreſs ought not to be placed on the circumſtance of a ſeducer marrying the woman with whom he had committed adultery, as the inſtances of ſuch marriages very rarely occurred.

The *Biſhop of London* ſpoke ſhortly in ſupport of the bill. The objections which had been ſtated to it, he thought were principally againſt the ſecond clauſe of it. It had been ſaid that the puniſhment ought to fall moſt heavily on the ſeducer, whereas this clauſe went to inflict the moſt ſevere puniſhment upon the unfortunate female; and a melancholy picture had been drawn of the miſerable, forlorn, deſerted ſituation

tion in which ſhe would be placed. He allowed that the ſevereſt puniſhment ought to be inflicted on the man. But does not, he aſked, the bill expoſe him to greater infamy, and to a puniſhment, which, in moſt inſtances, will be conſidered as more ſevere than that inflicted by the law as it now ſtands? And as to the effect of prohibiting the parties from marrying, upon the ſituation of the woman, he conſidered it as likely to be highly beneficial. Many a woman would never conſent to the commiſſion of the crime of adultery were it not for the expectation of afterwards being married to her ſeducer, and thus perhaps being introduced into a gayer ſituation of life than that in which ſhe was formerly placed; and when this hope is taken away, it will by no means follow that thoſe women who yield to the violence of paſſion or the arts of ſeduction, muſt be reduced, by being caſt out from ſociety, to having no protector, to greater corruption and vice. In truth, it appeared to him that retirement was more becoming their ſituation than ſcenes of gaiety. And if in retirement they feel that penitence and contrition and remorſe for their errors which they ought to feel, and if they ſhew by their conduct that this contrition is real, the higheſt benefits will accrue to themſelves, and he could pledge himſelf that they would on returning to mingle in the world, be better received than if they had continued in the arms of their ſeducers. The obſervation which fell from the noble Duke (of Bedford) that women who had been guilty of adultery were much better received in the world than they were at a former time, itſelf ſhews the neceſſity of a regulation ſimilar to that of the preſent bill. The intereſts of morality, the order of ſociety, and the good of the riſing generation require it. On theſe grounds he cordially approved of the bill.

The Duke of *Clarence* argued at ſome length againſt the bill, which, he ſaid, he ſincerely hoped would not paſs that Houſe; but if it ſhould, he truſted it would be thrown out in another Houſe. He quoted the authority of the late Earl of Chatham on the ſubject of divorce bills, and truſted that the Houſe would pauſe at leaſt, before it conſented to change ſo important a part of the law of the land. The Marriage Bill which was introduced by Lord Hardwicke when he was Chancellor, was drawn up after conſultation with the twelve Judges, and in conſequence of their approbation; but he knew not how this piece of parchment came upon the table. It had been ſaid that great legal authorities could be adduced in favour of this bill; but he could confidently ſay, that legal

legal authorities, not leſs reſpectable than any that had been or could be adduced in its favour, could be found, who entirely diſapprove of it. He had been brought up to entertain a high veneration for the old eſtabliſhed laws of this country. This bill, he conceived, was an innovation upon thoſe laws, and, therefore, he diſapproved of it. The firſt regulation of the bill, had it ſtood by itſelf, he certainly would not have had ſuch ſtrong objections to, as he had to the whole as it now ſtood. He would not ſay that it would have met with his ſupport, but his oppoſition would not have been ſo warm as it now was.—A noble Lord had ſaid, that the crime of adultery was much increaſing of late years, from the lenity of the puniſhment inflicted upon it. He did not call in queſtion the veracity of the noble Lord, perhaps a greater number of divorces had been granted by the Houſe. This might be the foundation of the noble Lord's opinion; but this might be accounted for, without ſuppoſing that the number of adulteries had increaſed. The people of this country have long lived happily under the laws as they now ſtand; any innovation upon them, in his opinion, could not be ſanctioned by any circumſtances which he had heard ſtated. Even the firſt regulation of the bill is not free from this imputation, as it conſtitutes a crime of what the law has hitherto conſidered only as a miſdemeanor, and as it lays upon the ſeducer two actions—one criminal, and the other for damages. He was not ſo ſkilled in the laws of this country as to be able to decide, but he thought that perhaps it would be better, were it poſſible, according to the laws of the country, in many caſes to award the damages, not to the huſband, but to the crown. But it was to the ſecond, the abominable clauſe, that his objections principally lay. It is not only a violation of the laws of the laws of the country, as they have been long eſtabliſhed, but it is uncharitable and cruel to the party who is generally leaſt to blame, and it is the very worſt plan that can be adopted for the prevention of this crime. His experience both in the military world and in the political world had convinced him, that harſh and ſevere meaſures were leſs efficacious for producing any end than thoſe that are lenient and gentle. Man is beſt governed, not by conſtraint but by will. Now the very circumſtance that adulteries are better received in the world than they formerly were, is a proof that the world think the preſent laws againſt them too ſevere, and their Lordſhips ought to take care that they do not treſpaſs too far upon the general ſentiments of the country by making ſtill

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ſeverer laws. He allowed that new and ſevere laws had of late years been paſſed upon political ſubjects which had been of great uſe, and had perhaps ſaved the country. But there is an eſſential difference between theſe and the preſent bill, becauſe they were only paſſed for a limited time, whereas this is to remain binding for everlaſting. The preſent bill, he contended, had been brought in in a moſt extraordinary manner, and had been hurried through its ſeveral ſtages with unbecoming haſte and precipitation; all the part of the bill which the noble and learned Lord on the Woolſack had introduced, he conſidered as additional clauſes to the original bill, and thoſe clauſes had only had the conſideration of a ſingle week. With regard to the noble Mover of the bill, he imputed his feelings on the ſubject to the notions he had imbibed abroad, while he was acting as a foreign Miniſter, and negociating treaties of different kinds. His Royal Highneſs told an anecdote that he had heard of a Britiſh Miniſter, who was preſent at a Court on the Continent, with which this country had entered into a ſubſidiary treaty. The Miniſter of that Court aſked the Britiſh Miniſter why the money England was to pay, under that treaty, was not ſent? The Britiſh Miniſter thereupon anſwered, "that he could not conceive why the Engliſh Miniſter did not ſend the money, as he knew the Engliſh Miniſter at home had the money to pay it if he choſe it." Upon this the foreign court wrote over to our court, to complain of the apparent neglect, when the fact turned out, that the Engliſh Miniſter, not being authorized to ſend money abroad, without the conſent of Parliament, could not ſend the money, as Parliament was not ſitting. Thus it was evident the Britiſh Miniſter abroad was not well informed of the Conſtitution of his own country, and therefore it appeared to him probable that the noble Lord who introduced the original bill, was under the influence of opinions and obſervations which he had collected abroad, and though a recluſe of a different kind from thoſe of the law and the church, who had that day been recluſes, was ſo far a recluſe as not to be the beſt qualified to judge of what was fit to be done in caſes of divorce. His Royal Highneſs mentioned the affairs of the Union, in which meaſure he declared he heartily concurred; he could not however help thinking but that the Houſe, if they paſſed the bill, did not ſhew much reſpect for their brethren on the other ſide, as it would have been but decent to have waited till they had joined us, and had taken the reſpective ſeats in their Imperial Par-

liament. The Duke added a variety of other arguments againſt the bill, which ſhould, he declared, have his decided negative.

Lord *Hobart* ſaid, excluſive of the eſteem he had for the talents of his noble Friend and relation who had introduced the bill, he conſidered him not in the light of a foreign Ambaſſador at preſent, but that of a Peer, who, from his thorough knowledge of the conſtitution of his country, and of its penal laws (to which he had been known to have devoted ſo much of his time and attention) that he was peculiarly well qualified, and more ſo than moſt men, to draw ſuch a bill as that before the Houſe, and to judge of the propriety of the clauſe, which the noble and illuſtrious Duke had been pleaſed to term, and ſtill continued to term, the *abominable* clauſe. He regarded what the illuſtrious Duke therefore had ſaid of his noble relation having more the feelings of a foreign ambaſſador acting upon the notions he had imbibed abroad, than as a man perfectly maſter of the laws of his country, as a mere pleaſantry of the illuſtrious Duke, which he had choſen to indulge in for the ſake of introducing an anecdote about a ſubſidiary treaty. His Lordſhip very ably argued in ſupport of the bill, as a bill of prevention of the great crime of adultery, and of puniſhment of the adulterer. With regard to the arguments which the Houſe had heard that day, they were inconſiſtent with each other, almoſt every noble Lord who had oppoſed the bill, having different grounds of objection from thoſe urged by thoſe other noble Lords who ſpoke on the ſame ſide of the queſtion.

Lord Hobart then adverted to the different arguments uſed by the Duke of Clarence, and concluded by obſerving that it is a common ſaying, that if a woman deliberates ſhe is loſt, but if the preſent bill is paſſed, he would venture to ſay, that the woman who deliberated would be ſaved.

The *Biſhop of Rocheſter* went into a long hiſtorical retroſpect of the laws of the country reſpecting the topic under diſcuſſion, and contended that even in periods when no great partiality was ſhewn to the Church (he more particularly pointed to the times of Henry VIII.), deciſions of releaſe *a vinculo matrimonii*, were left wholly at the diſcretion of the Eccleſiaſtical Courts. Theſe Courts ſeemed now, however, to be regarded as ſo many Augæan ſtables that were to be cleanſed and purified by the oppoſers of the preſent Bill. But whatever might be ſaid in contempt of theſe Courts, it could not be denied, and he was bold to contend, that they

adopted

adopted and uniformly purſued a ſyſtem of laws which was acknowledged to be regular and well digeſted, and which was as ſafely and ably adminiſtered by the old women (as they are called who preſide there), as by any other ſpecies of Monks who are ſuppoſed to preſide in other Courts. The right reverend Prelate then entered into a refutation of the different objections that had been urged againſt the nature and tendency of the Bill. He proved that it was no innovation in the law of the land; that it was no experiment attempted to be made on the morals of the country; and that the meaſure propoſed was fully countenanced by the divine law, in proof of which the right rev. Prelate adduced a number of texts from ſcripture. In a word, it went to puniſh nothing but what the law had already pointed out as juſtly puniſhable; and, if the Bill did not take away an action for damages, that ſhould be regarded as a perfection in it, not as a fault. Here the learned Prelate quoted a variety of paſſages from the canon and temporal law in favour of the poſitions he had laid down. As to the illegitimacy of children born under the auſpices of ſuch intermarriages as had been alluded to, he was extremely ſorry that any ſuch inference had been drawn from any thing that had fallen from him. The Bill now before their Lordſhips placed women who had been married to their ſeducers in a better condition than they ſtood in before: for it legaliſes all ſuch marriages, and removes every doubt that can poſſibly be raiſed reſpecting their legitimacy. In his mind the meaſure propoſed for their Lordſhips adoption muſt tend to ſtem the torrent of the vices which it was intended more particularly to correct, whether they were committed through the medium of common, or what was ſtyled honourable ſeduction. Common ſeducers it would deter by the puniſhment they might incur; and honourable ſeducers would not hazard the commiſſion of the crime when they reflected on what was to be the fate of the woman they would ſeduce: in other reſpects the Bill would only leave the woman in the ſituation in which ſhe had placed herſelf. Her only reſource ſhould be the conſolation held out to her by the Goſpel, which, by ſincere repentance, might ſecure to her in a future ſtate what ſhe had forfeited in her preſent ſituation: for folding herſelf in the arms of an adulterer was not the moſt likely mode of repentance. Much had been ſaid about pity and compaſſion in caſes which the preſent queſtion embraced, but it was needleſs to remind their Lordſhips that juſtice, not compaſſion, was the principle

of all law. In the deciſion the Houſe would pronounce upon it, their Lordſhips would ſurely not forget that domeſtic peace, public morality, and conjugal fidelity, were now proſtrate at their bar, and pleaded for every thing that could cement human ſociety, and endear and ſanctify its ties.

Lord *Mulgrave* ſaid, it was not his intention at that hour to follow the arguments of the noble Lords who had ſupported the Bill. He certainly did entirely diſſent from the firſt part of the Bill, though he did not by any means conſider it as unexceptionable if it ſtood ſingly by itſelf. He ſhould propoſe ſome amendments; but clogged as it was with other parts, it would yield him very little ſatisfaction, even if thoſe amendments ſhould be adopted. Without running into any detail on the origin of divorces in this country, it would be ſufficient, perhaps, to ſtate, that this ſyſtem took place immediately on the Reformation. It was not then offered as a mere logical abſtract queſtion, but it was ſtated on the caſe to a number of learned men, that a divorce, *a vinculo matrimonii*, was founded on the ſcriptures. In the reign of Henry the VIII. it was propoſed to reviſe the Canon Law; but the murder of Archbiſhop Cranmer, and the ſucceſſion of Queen Mary, put a total ſtop; ſo that we were now acting on the Popiſh Cannon Law. Indeed it was a matter of great moment, that required a great deal of time, and above all, a diſcriminating judgment. He was no friend to the *Reformatio Legum*, but there was one article in it which met his hearty concurrence, and that was the one which condemned the divorce *a menſa et thoro*, as it was but a part of the divorce *a vinculo matrimonii*. Betwixt thoſe two kinds of divorces, a man may be ſaid to have a wife and part of a wife. In the firſt inſtance, though they were ſeparated from bed and board during their natural lives, yet the huſband was bound to ſupport her in proportion to his income. If the preſent bill ſhould paſs into a law, then there was part of a wife; for notwithſtanding he was at liberty to marry again, yet ſhe muſt maintain a certain fidelity towards him, whereas the true intent and meaning of a divorce, *a vinculo matrimonii*, as ſettled at the Reformation, was, that the parties ſhould conſider themſelves in the ſame ſtate as if one of them was dead. He was certainly of opinion with the learned Prelate (Biſhop of Rocheſter), that according to the laws of God and man, neither of the parties ſhould marry again. What a dilemma then did that right Rev. Prelate place their Lordſhips in—if the law of God, according to that Rev. Biſhop,

Biſhop, prohibited a ſecond marriage during the lives of the parties, was it not extraordinary that the Rev. Prelate, who was one of the Committee, ſhould compromiſe the divine law with a temporal Legiſlature.

In the New Teſtament it was expreſsly ſtated, "That whoſoever putteth away his wife, except for the cauſe of fornication, and whoſoever marrieth her, committeth adultery;" here it was plain, that if the adultereſs married again, it was the ſecond commiſſion of the crime; but on a queſtion being put, which ought to be coupled with the foregoing verſe, the anſwer was, "Moſes ſuffered on account of the hardneſs of your heart, to write a bill of divorce: but from the beginning it was not ſo." He ſaid he paid the higheſt deference to the opinion of the learned Prelate, and if he felt any diffidence in his own mind, ſhould conſtantly bend to it—but the Proteſtant Religion did not command any one of its members to place an implicit belief in any man, however high his authority; but in the Scriptures, which was open to all. He felt a conviction in his own mind that he was perfectly right. It was eaſy to obſerve, that when the ordinances of man were put in oppoſition to the Divine Law, the reſult was, as might be expected, confuſion and diſcordancy. Then as to the ground on which the bill was founded—namely, that the cauſe of all this evil was a colluſion betwixt the criminal parties to obtain a divorce for the purpoſe of marrying again, which he denied *in toto*; but he was convinced that the prohibition of ſuch intermarriage would have a very different effect from that which the ſupporters of the bill expected. What would they have an unhappy woman to do who had violated her conjugal fidelity? Why to bury herſelf in ſolitude, to bear the whips and ſcorns of the times, and, if poſſible, to waſh away her crimes with the tears of repentance. All this was under the idea that there was ſtill ſome ſecret ſpring of virtue in her breaſt. Was this to be expected from a woman of ſtrong paſſions, who was hurried through every ſcene of diſſipation? He would be glad if any ſuch woman could be pointed out. This bill went to ſhut every door to repentance. On the contrary, he never ſaw a woman who had violated her conjugal vows, and who was married a ſecond time, that did not lead an exemplary life; and they ſedulouſly avoided all public aſſemblies, places of gay reſort, and were ſeldom ſeen out of the domeſtic circle of their family; whereas thoſe who did not marry after the commiſſion of that crime, and who had a fortune to ſupport their diſſipation,

tion, lived in every faſhionable ſcene of diſſipation, and braved the opinion of the world. Now, with regard to the effect which the oppoſite conduct of theſe perſons would have on their children, if they had any, it was almoſt unneceſſary for him to ſay. There was that ſoftneſs in the female breaſt, that it would naturally make allowances for the miſconduct of the latter. But it might be ſaid, that what he had juſt ſaid with reſpect to the woman who married a ſecond time would be an inducement to commit adultery, in order to get married either to the ſeducer, or to ſome other man.—He hoped there was a higher ſenſe of honour, and more rigid virtue in the boſoms of Engliſh women, than to forfeit the affection of the man to whom ſhe had firſt plighted her marriage vows. The Rev. Prelate (Biſhop of Rocheſter), and the learned Lord, had placed the Houſe in an aukward predicament; the firſt inſiſted that the woman was forbidden by the Divine Law to marry again, and the ſecond, that ſhe might marry any man but the ſeducer. On a queſtion that ſplit into ſuch oppoſite opinions, ſo as to leave the leaſt doubt, he thought the Houſe ought to pauſe at leaſt on a queſtion of ſuch moment. He did not like the rules of temporary morality, eſpecially as he never found that it produced any good effect. He was charged, from what he had ſaid on a former night, with having read lectures on ſeduction and vice; he did not ſee that he was any more liable to that charge, than a divine, who, in order to point out the conſequence of a vice in a ſermon, ſhould paint that vice. The cry was, after all that has been ſaid of the arts of ſeduction, the conſequences will be fatal if this bill ſhould be defeated. Thoſe who ſupported the bill exclaimed, "if it is not paſſed into a law, all the fatal conſequences will reſt with thoſe who oppoſed it." He could not ſee it in that point of view, and he was certain it would not be the caſe. As to the honourable ſeducer, he would put it to the honour of any noble Lord who heard him, if ſuch a perſon ſhould make all the reparation in his power, for the wound which he had given to the domeſtic peace of a family, by marrying the unfortunate woman, whether any of their Lordſhips would think the worſe of him.

The following is the quotation from *Burnet's Hiſtory of the Reformation*, quoted by Lord Mulgrave on the 16th of May.

'In the end of January, the Council made an order concerning the Marquis of Northampton, which will oblige me to look back a little for the clear account of it. This Lord, who was brother to the Queen Dowager, had married Anne Bouchier, daughter to the Earl of Eſſex, the laſt of that name: but ſhe being convicted of adultery, he was divorced from her;

her; which, according to the law of the Eccleſiaſtical Courts, was only a ſeparation from bed and board; upon which divorce, it was propoſed in King Henry's time, to conſider what might be done in favour of the innocent perſon, when the other was convicted of adultery; ſo in the beginning of King Edward's reign, on the 7th of May, a commiſſion was granted to the Archbiſhop of Canterbury, the Biſhops of Dureſme and Rocheſter, to Dr. Ridley ſix more, ten in all, of whom ſix were a quorum, to try whether the Lady Anne was not, by the word of God, ſo lawfully divorced, that ſhe was no more his wife, and whether thereupon he might not marry another wife. This being a new caſe, and of great importance, Cranmer reſolved to examine it with his ordinary diligence, and ſearched into the opinions of the fathers and doctors ſo copiouſly, that his collections about it grew into a large book, the greateſt part of it being either written, or marked and interlined with his own hand. This required a longer time than the Marquis of Northampton could ſtay, and therefore preſuming on his great power, without waiting for judgment, he ſolemnly married Elizabeth, daughter to Brooke Lord Cobham. On the 28th of January, information was brought to the Council of this, which gave great ſcandal, ſince his firſt marriage ſtood yet firm in law. So he being put to anſwer for himſelf, ſaid, he thought that by the word of God he was diſcharged of his tye to his former wife; and the making marriages indiſſoluble was but a part of the popiſh law, by which it was reckoned a ſacrament; and yet the Popes, knowing that the world would not come under ſuch a yoke, had, by the help of the Canoniſts, invented ſuch diſtinctions, that it was no uneaſy thing to make a marriage void among them: and that the condition of this church was very hard, if upon adulteries, the innocent muſt either live with the guilty, or be expoſed to temptations to the like ſins, if a ſeparation was only allowed, but the bond of the marriage continued undiſſolved. But ſince he had proceeded ſo far before the delegates had given ſentence, it was ordered that he and his new wife ſhould be parted; and that ſhe ſhould be put into his ſiſter the Queen Dowager's keeping, till the matter were tried whether it was according to the word of God or not, and that then further order ſhould be given in it. Upon this the delegates made haſte, and gathered their arguments together, of which I ſhall give an abſtract, both for the clearing of this matter, (concerning which not many years ago there were great debates in Parliament) and alſo to ſhew the exactneſs of the proceedings in that time.

Chriſt condemned all marriages upon divorces, *except in the caſe of adultery*, which ſeemed manifeſtly to allow them in that caſe. And though this is not mentioned by St. Mark and St. Luke, yet it is enough that St. Matthew has it. Chriſt alſo defined the ſtate of marriage to be that in which *two are one fleſh*; ſo that when either of the two hath broken that union by becoming one with another perſon, then the marriage is diſſolved. And it is oft repeated in the Goſpel, that married perſons have *power over one another's bodies*, and that they are to give *due benevolence* to each other; which is plainly contrary to this way of ſeparation without diſſolving the bond. St. Paul putting the caſe of an unbeliever departing from the partner in marriage, ſays, *The believing party, whether brother or ſiſter, is not under bondage* in ſuch a caſe: which ſeems a diſcharge of the bond in caſe of deſertion: and certainly adultery is yet of a higher nature. But againſt this it was alledged on the other ſide, that our Saviour's allowing divorce in the caſe of adultery was only for the Jews, to whom it was ſpoken, to mitigate the cruelty of their law, by which the adultereſs was to be put to death: and therefore he yielded divorce in that caſe, to mitigate the ſeverity of the other law. But the Apoſtle, writing to the *Gentile* Chriſtians at

Rome

Rome and *Corinth*, ſaid, the wife was *tied by the law to the huſband as long as he lived*. And that other general rule, *whom God hath joined together let no man put aſunder*, ſeems againſt the diſſolving the bond. To this it was anſwered, that it is againſt ſeparating as well as diſſolving; that the wife is *tied to her huſband*; but if he ceaſeth to be her huſband, that tie is at an end: that our Saviour left the wife at liberty to divorce her huſband for adultery, though the law of *Moſes* had only provided, that the adulterous wife, and he who defiled her, were to die, but the huſband who committed adultery was not ſo puniſhable; therefore our Saviour had by that proviſion declared the marriage to be clearly diſſolved by adultery.

From hence they went to examine the authorities of the fathers. Hermes was for putting away the adultereſs, but ſo as to receive her again upon repentance. Origen thought the wife could not marry after divorce. Tertullian allowed divorce, and thought it diſſolved the marriage as much as death did. Ephiphanius did alſo allow it. And Ambroſe, in one place, allows the huſband to marry after divorce for adultery, though he condemns it always in the wife. Baſil allowed it on either ſide upon adultery. Jerome, who condemns the wife's marrying, though her huſband were guilty of adultery; and who diſliked the huſband's marrying again, though he allowed him to divorce upon adultery or the ſuſpicion of it; yet when his friend Fabiola had married after a divorce he excuſes it, ſaying, it was better for her to marry than to burn. Chromatius allowed of ſecond marriages after divorce: and ſo did Chryſoſtome, though he condemned them in women after divorcing. St. Auſtin was ſometimes for a divorce, but againſt marriage upon it; yet in his retractations, he writ doubtfully of his former opinion. In the *civil* law, the Chriſtian Emperors allowed the power of divorcing, both to huſband and wife, with the right of marrying afterwards. Nor did they reſtrain the grounds of divorce only to adultery, but permitted it in many other caſes, as if the wife were guilty of treaſon, had treated for another huſband, had procured an abortion, had been whole nights abroad, or had gone to ſee the public play without leave from her huſband, beſides many other particulars; againſt which, none of the fathers had writ, nor endeavoured to get them repealed. All theſe laws were confirmed by Juſtinian, when he gathered the laws into a body, and added to it where they were defective. In the canon law, it is provided, that he whoſe wife is defiled, muſt not be denied lawful marriage. Pope Gregory denied a ſecond marriage to the guilty perſon, but allowed it to the innocent after divorce. Pope Zachary allowed the wife of an inceſtuous adulterer to be married if ſhe could not contain. In the canon law, the Council of Tribury is cited for allowing the like privilege to the huſband. By the Council of Elvira, a man that finds that his wife intends to kill him, may put her away and marry another; but ſhe muſt never marry. The Council of Arles recommended it to huſbands, whoſe wives were found in adultery, not to marry during their lives. And that as Elvira denied the ſacrament to a wife who left an adulterous huſband, and married another; but ſhe might have the communion when her firſt huſband died: ſo the ſecond marriage was accounted good, but only indecent. But the Council of Milevi forbids both man and wife to marry after divorce. All theſe were collected by Cranmer, with ſeveral very important reflections on moſt of the quotations out of the fathers. With theſe there is another paper given in by one who was againſt the diſſolving the bond, in which there are many quotations brought both from the canon law and the fathers, for the contrary opinion: but moſt of the fathers there cited are of the latter ages, in which the ſtate of the Celibate had been

been ſo exalted by the Monks, that in all doubtful caſes they were reſolved ſtill to prefer that opinion which denied liberty for further marriages. In concluſion, this whole queſtion was divided into eight queries*, which were put to ſome learned men, (who theſe were does not appear) and they returned their anſwer in favour of the ſecond marriage. In the end ſentence was given, allowing the ſecond marriage in that caſe, and by conſequence confirming the Marquis of Northampton's marriage to his ſecond wife, who upon that was ſuffered to cohabit with him: yet four years after he was adviſed to have a ſpecial Act of Parliament for confirming this ſentence.——*Burnet's Hiſtory of Reformation, p.* 56. *folio Edit.* 1681.

* *Queſtions and Anſwers concerning the Divorce of the Marquis of Northampton.*

1ſt. Quid dirimit Matrimonii Vinculum?
2d. Quis ob cauſas dirimi poterit?
3d. An dirimi poterit Conjugium a thoro, non a vinculo?
4th. Quibus caſibus poſſit ſic dirimi?
5th. An exceptio illa (excepta Fornicationis cauſa) etiam in Lucæ, Marci et Pauli locis, qui de his rebus tractant, eſt ſubaudienda?
6th. An etiam Uxor, repudiata propter Adulterium, alteri poterit nubere?
7th. An redire ad priorem maritum, repudiatæ Adulteræ liceat?
8th. An Maritus, propter Adulterium, ab Uxore caſta poſſit repudiare?

Anſwers.

Ad primam Reſpondemus; Ipſo Adulterii facto Matrimonii vinculum dirimi. Nam alioquin, ob ſolum Adulterium non liceret viro Uxorem repudiare: voluntas viri ſolicitat judices, Judices palam faciunt Eccleſiæ, virum licite talem repudiare Uxorem.

Ad ſecundum Reſp. Quod ob ſolam cauſam ſtupri dirimitur Matrimonii vinculum: cujus ipſo quidem facto, Conjugii diſſolvitur nodus, et loquimur his, qui Sacro Sancti Matrimonii jus agnoſcunt.

Ad tertiam Reſp. Quod non; quia mulier quam diu vixeri, *aliguta eſt viro.* Rom. 7. *item ne fraudetis vos invicem,* 1 Cor. 7. item in eodem loco Uxori Vir debitam benevolentiam reddat ſimpliciter, et Uxor viro, *item vir non habet poteſtatem ſui corporis,* ſed Uxor ſimiliter; *nec Uxor habeat poteſtatem ſui corporis, ſed Vir.*

Ad quartam patet in reſpontione ad tertiam.

Ad Quintam Reſp. quod exceptio iſta, vir. *Niſi cauſa ſtripo*; eſt ſubaudiende in Luca, Marco et Paulo: alioquin manifeſta erit pugnantia inter Mathæum et eos.

Ad Sextam Reſp. Quod repudiata propter Adulterium, quia Uxor repudiantis deſiit eſſe, ob idque libera eſt ſicut aliæ omnes poſt obitum virorum, poſſunt aliis nubere; aquo jure juxta illud Pauli, ſi non contineant contrahant Matrimonium. 1 Cor. 7.

Ad Septimam reſp. Quod non licet repudiatæ Adultera redire ad repudiantem, tanquam alligatæ ei jugi vinculo Matrimonii. Ultima Queſtio Nihil ad Nos.

Lord *Grenville* ſaid, that after the very able manner in which the bill had been defended, he ſhould not have troubled them with any obſervations, if he was not afraid that his ſilence on a ſubject in which he found himſelf ſo highly intereſted, might be conſtrued into an acquieſcence in the objections which had been urged againſt it. There were, however, but a very few points to which he would ſhortly recall the attention of their Lordſhips. He differed widely from his noble Friend (Lord Mulgrave) in the application he

thought proper to make of the word *honour*; for he could not allow that there was any ſuch thing as an honourable ſeducer; and a man was much deceived if he ſuppoſed that he ſatisfied his own honour or that of the woman he degraded, by afterwards marrying her. With regard to the legal and religious points of the queſtion, he would certainly defer to the opinions of thoſe who make law and religion their profeſſion and their ſtudy; and he never knew his noble Friend ſo much out of his place as when he ſtood there contending in legal conſtruction with a noble and learned Judge, and in religious diſputes with a right Reverend Prelate. He reminded him of the pedant who read lectures to Hannibal upon the art of war. Much ſtreſs had been laid upon the conduct of ladies in Roman Catholic and other countries, who indulged in voluptuouſneſs and diſſipation, becauſe they knew that ſuch things were generally overlooked, and that they were not likely thereby, either to be divorced or degraded from that rank which they held in ſociety. But in his eſtimation this argument made ſtrongly in favour of the meaſure; for as the ſame profligacy did not prevail here, it ſhewed that women were not unmindful of the conſequences that were to follow their tranſgreſſion; and it would be vain to argue, that as theſe conſequences were multiplied they would not be proportionably more circumſpect in their behaviour. It was alſo urged, that ladies who were once guilty of infidelity, had no other means of returning to the paths of virtue or good morals, but by marrying the very perſons who had diſhonourably ſeduced them. He was ſure that he could put a variety of caſes, where his noble Friend would not, as a moraliſt or a chriſtian, hold out ſuch a doctrine to an offending woman. If there was no other alternative, he would aſk, what was to become of the woman whoſe ſeducer ſhould die before the divorce was obtained? What would be the ſituation of the unhappy woman, whom the ſeducer after gratifying himſelf, would not conſent to marry? Or what return was there for the woman who, which not unfrequently was the caſe, had been ſeduced by a married man? The only way in which ſuch a ſeducer could make compenſation, as it was called, to the adultereſs, was to contrive a divorce from his lawful wife—a kind of compenſation that would lead to multiplied tranſgreſſions. Upon the whole, the only reſtriction in this bill was to prevent any marriage between the offending woman and the ſeducer who degraded her.

Lord *Mulgrave* ſaid a few words in explanation.

At

At length the noble Lord on the woolsack put the question, "that the bill be read a third time?" when the House divided,

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The bill was then read a third time and passed; after which the House adjourned to Monday next.

HOUSE OF COMMONS.

FRIDAY, MAY 23.

The Bank of England Buildings Bill was read a second time, and referred to a Select Committee.

Mr. *Shaw Lefevre* presented a petition praying for permission to present a petition from the churchwardens, overseers of the poor and inhabitants of the parish of Brighthelmstone, in Sussex, asking leave to bring in a bill to build a new poor house. Ordered to lie on the table.

The Asylum Incorpation Bill was read a third time and passed.

The Wapping Wet Dock Bill was read a third time; several new clauses were moved, brought up, agreed to, and added to the bill by way of riders. The bill was then passed, and ordered to be carried to the Lords.

The Public Accountant's Interest Bill was read a second time, and ordered to be committed on Tuesday.

The *Chancellor of the Exchequer* presented an estimate of the expence incurred in carrying into execution the treaty concluded on the 16th of March, 1800, with his Serene Highness the Elector of Bavaria. He said, that on account of the pressure of other public business, he meant to put off the discussion of the Bavarian subsidy till Monday next. The account was ordered to lie on the table.

Mr. *Tierney* said, that an idea had gone abroad that he had abandoned his idea of making a motion for the repeal of the income tax. That was by no means the case, as he should make a motion of that nature the first opportunity. He by no means, however, wished to incommode the right hon. Gentleman opposite to him; or to interfere with public business, and he should be glad to know, whether any business of consequence was meant to be brought on by Ministers on Friday next.

Mr. *Rose* said, that he thought it would be better if the

hon. Gentleman would delay making his motion till after the holiday.

Mr. *Tierney* then agreed to defer bringing it forward till Thurſday ſe'nnight.

A perſon from the Inſpector General of Exports and Imports, preſented an account of the value of goods exported from Great Britain during the laſt 14 years, preceding the 5th of January, 1800. Ordered to be printed.

Mr. *Tierney* moved, That the account preſented by the Chancellor of the Exchequer with regard to the Bavarian ſubſidy be printed. Ordered.

Mr. Tierney moved, That there be laid before the Houſe an account of the number and ſalaries of officers appointed to collect the revenue ſince the 5th of April, 1799. Ordered.

SUBSIDIES.

Mr. *Tierney* ſaid, that, as he underſtood from the right hon. Gentleman that there was to be ſome converſation with regard to ſubſidies on Monday, he ſhould be glad to be informed whether the right hon. Gentleman meant then to go generally into the ſubject of ſubſidies, and diſcuſs all the ſubſidizing treaties between this country and foreign powers, or only to confine himſelf to the treaty with the Elector of Bavaria. Although only 500,000l. had been voted to his Serene Highneſs, it appeared from the account juſt preſented, that 566,000l. had been already advanced to him. He ſhould, therefore, likewiſe wiſh to know whether the right hon. Gentleman meant to cover the 500,000l. or to vote for 566,000l. and allow the 500,000l. to go to account?

The *Chancellor of the Exchequer* replied, that he intended to take credit for the 566,000l. and to let the 500,000l. go to account. He hoped ſoon to lay the other treaties before the Houſe, and he would then vote for an additional ſum; but on Monday he meant to confine himſelf to what aroſe from the treaty with his Serene Highneſs the Elector of Bavaria.

Mr. *Tierney* ſaid, that he meant to take the ſenſe of the Houſe upon the propriety of involving the country in ſuch an enormous and unneceſſary expence as was at preſent incurred by the ruinous ſyſtem of ſubſidizing foreign Princes. If it was meant to lay the other treaties before the Houſe ſoon, he would wait till they were all diſcuſſed in a body; but if this opportunity would not occur ſoon, he would embrace that which would preſent itſelf on Monday.

The *Chancellor of the Exchequer* ſaid, that he was in daily expectation

expectation of receiving papers from the Continent with regard to the treaty with the Emperor of Germany. When they would arrive it was impoſſible for him to ſay, but they ſhould be laid before Parliament after their arrival, with all poſſible expedition.

THE UNION.

The order of the day being then moved and read, for the Houſe to reſolve itſelf into a Committee of the whole Houſe, to take into farther conſideration his Majeſty's meſſage,

Mr. *W. Bird* preſented a petition from the ſilk weavers and ribbon manufacturers of the city of Coventry, praying that a higher duty than that propoſed ſhould be laid upon the importation of ſilk from Ireland. Referred to the Committee.

The *Chancellor of the Exchequer* moved, That the accounts preſented on a former day by Mr. Roſe, with regard to the countervailing duties, be referred to the Committee. Ordered.

The *Speaker* having left the chair,

The *Chancellor of the Exchequer* ſaid, that as the papers with regard to the countervailing duties meant to be laid on the table, were very accurately drawn up, and as they had been printed for ſeveral weeks, every Member muſt be intimately acquainted with their contents, and he ſhould only waſte the time of the Committee by trying to explain them. He was happy to ſay that ſcarcely any objection had been made to the propoſed regulations, and that they had given very general ſatisfaction. To this there was one exception, as the petition now preſented evinced. The broad baſis on which the regulations were framed was to impoſe a countervailing duty equal to the drawback formerly given upon goods exported to foreign countries. No plan could have been deviſed more juſt and equitable, or leſs calculated to excite jealouſy and diſcontent. He was confident that the fears of the ſilk manufacturers were groundleſs and imaginary. We had an advantage of 3 per cent. in exporting ſilk to Ireland, and with that advantage, joined to the many others we poſſeſs, could there be a doubt that our ſilk manufactures would continue to flouriſh as before? If the countervailing duties were to be raiſed here, they would likewiſe be advanced in Ireland in an equal proportion, and as we export much more than we can poſſibly import, it was much better that the duties ſhould be fixed as propoſed. The alarm of the petitioners could ariſe from nothing but national prejudice and commercial jealouſy. It was for the advantage of the empire,

pire, and for every part of it, that the intercourſe between its ſeveral diſtricts ſhould be as free and unreſtrained as poſſible.

Mr. *W. Bird* ſaid, he had no doubt that a limited quantity of ſilk manufactures would continue to be exported to Ireland, but thought that the duty on the importation of ſilk manufactures from Ireland ſhould be conſiderably raiſed, as many branches of our own trade would otherwiſe be ruined. Iriſh ſilks were now ſmuggled into this country, and would be brought over in large quantities if their importation ſhould be ſanctioned by the Legiſlature.

The *Chancellor of the Exchequer* aſked, whether, when we now outſold Ireland in her own market, it was very probable that ſhe would outſell us in ours? No ſhock to capital or to trade could be given by the propoſed regulation; and where that was the caſe, all reſtrictions and prohibitions were impolitic and abſurd.

Mr. *W. Bird* maintained that the regulations, if carried into effect, would be the cauſe of very ſerious miſchief. He did not ſee why an Iriſh manufacturer might not underſell us both in the foreign market and our own, when the price of labour is there ſo much lower, and taxes are ſo much more inconſiderable.

The *Chancellor of the Exchequer* replied that there could be no principle more fallacious than that the poor country is in a better ſituation for carrying on manufactures than one that is opulent. It was contrary to reaſon and contradicted by uniform experience. If Ireland were likewiſe to rival us in foreign markets, ſhe could not be prevented from doing ſo by any domeſtic arrangements. But, when ſhe has never done ſo—when ſhe has never even exported any to foreign countries, could it be ſuppoſed that ſhe would now ruin our commerce abroad?

Mr. *Tierney* allowed that the poor country was not likely to outſell the rich one; but it would be rather hard to perſuade him that that country was unfavourably ſituated for commerce, whoſe capital was moderate, whoſe labour was plenty and cheap, and whoſe taxes were low and unoppreſſive. Though there was no ground for immediate apprehenſion, it ought to be remembered that theſe regulations were to be in force for 20 years, before the end of which period circumſtances would probably have materially changed. It certainly would be proper to wait two or three days, that more information might be obtained upon the ſubject.

The *Chancellor of the Exchequer* could ſee no cauſe for delay.

lay. The paper had already been ſeveral weeks in the hands of Gentlemen, and they had had an ample opportunity of making themſelves maſters of every thing contained in it.

The reſolution was then put and agreed to. The Houſe was reſumed, and the report ordered to be brought up on Monday.

The Committee was ordered to ſit again on Monday, on which day the Chancellor of the Exchequer expected to be able to preſent the reſolutions finally agreed upon with reſpect to the countervailing duties by the Iriſh Parliament.

The order of the day being moved and read, for receiving the report of the Committee on the 31ſt of Geo. II. with regard to Papiſts,

The *Secretary at War* ſaid, that if he had been preſent, he ſhould have oppoſed theſe reſolutions in the Committee. They were quite unneceſſary, and of courſe extremely improper. The Proteſtant Religion and the Church of England were never in leſs danger from Popery. It might be ſaid that a bill founded on them would be harmleſs, but it ſhould be proved that it would do good, as it had the worſt effects for the Legiſlature ever to interfere, unleſs where its interference was neceſſary. He particularly diſapproved of the clauſe which prohibits the admiſſion of any new members into convents now eſtabliſhed. He could ſee no harm in allowing thoſe who had paſſed their noviciate, to fulfill their vows, and lead their lives in the only way which they could with comfort, within the walls of a monaſtery. Theſe meaſures ſanctioned illiberal prejudices and groundleſs jealouſies, which it ſhould rather be the object of the Legiſlature to extirpate and do away.

Sir *H. S. Mildmay* enquired whether there was no danger to be apprehended from numbers of Engliſh children being educated by Papiſts, and from five thouſand Roman Catholic Prieſts being allowed to diſſeminate their doctrines without controul?

Mr. *Jones* ſaid that the right hon. Secretary had ſurely ſuppoſed that this was a bill to prohibit *nun*-baiting, that he had ſo exerted his oratorical powers to oppoſe it. But he really hoped that he would not oppoſe it ſo reſolutely as the bull-baiting bill, as many might be miſled by his eloquence.

The reſolutions were then read a firſt and ſecond time, and a bill ordered in purſuance to them.

Mr. *Devaynes* preſented a petition from the managers of the

the Soup Shops in the city of London, praying for Parliamentary aid. Referred to a Committee.

The new Income-Tax Bill was read a ſecond time, and ordered to be committed on Monday.

Mr. *W. Smith* ſaid, that he thought it would be proper for all the income-tax acts to be conſolidated into one, as great confuſion ariſes from being obliged to refer to ſeveral, and theſe all of the moſt complex, involved, intricate, and unintelligible nature.

In a Committee of Supply, the ſum of 41,400l. was voted to his Majeſty, to be applied to the remimburſement of the owners of the Aurora, Mentor and Lark, the Mogadore ſhips which were deſtroyed laſt autumn.

The *Secretary at War* gave notice that he would ſhortly move for a ſum of money to be applied to a moſt laudable purpoſe, viz. to founding an inſtitution for the relief of the widows and orphans of ſoldiers.

On the motion of Mr. *Dundas*, the Houſe was ordered to go into a Committee, to conſider ſo much of an act paſſed laſt ſeſſion as reſpects the ſalaries of the Scotch Judges.

The Lottery Bill was reported, and ordered to be read a third time on Monday.

The Blubber Bill, and the Rye Bounty Importation Bill, were read a ſecond time, and ordered to be committed on Monday.

Mr. *Roſe* preſented ſeveral accounts from the treaſury.—Ordered to lie on the table.

The other orders were read and deferred. Adjourned to Monday.

HOUSE OF LORDS.

MONDAY, MAY 26.

The Earl of *Weſtmoreland* preſented the addreſs of the Lords and Commons of Ireland to his Majeſty, ſtating, that they had agreed to the reſolutions of the articles of the propoſed Legiſlative Union, as arranged by the Parliament of Great Britain.

Lord *Eldon* ſtated to the Houſe, that William Stewart Roſe, Eſq. lately a repreſentative of Chriſtchurch, in the Houſe of Commons, had been nominated Reading Clerk to the Houſe, in the room of Matthew Robert Arnot, Eſq. deceaſed; and put the queſtion, that the ſaid nomination be agreed to.—Ordered.

Mr. *Roſe* immediately came forward in the clerk's gown and wig, and did the duties as uſual.

The Houſe then agreed to reſolve itſelf into a Committee of the whole Houſe, to take the ſaid addreſs into conſideration the next day.

The Wapping Wet Dock Bill was brought up and preſented by Mr. Manning and others.

The ſeveral bills on the table paſſed through their reſpective ſtages. Adjourned till the next day at four o'clock.

HOUSE OF COMMONS.

MONDAY, MAY 26.

A meſſage from the Lords informed the Houſe that their Lordſhips had paſſed an act for the more effectually preventing and puniſhing the crime of adultery, in which they requeſted the concurrence of that Houſe.

The *Chancellor of the Exchequer* brought up an addreſs from the two Houſes of Parliament in Ireland, and alſo a copy of the reſolutions of the ſaid two Houſes relative to countervailing duties, which on his motion were ordered to be referred to the Committee on his Majeſty's meſſage on the Union.

COUNTERVAILING DUTIES.

The Houſe reſolved itſelf into a Committee of the whole Houſe, to take into further conſideration his Majeſty's meſſage on the Union with Ireland, Mr. Sylveſter Douglas in the chair.

The addreſs and reſolutions of the two Houſes in Ireland was then read, the reſolutions agreed to, and the Houſe reſumed.

Mr. *Douglas* brought up the report of the Committee on his Majeſty's meſſage relative to the countervailing duties; which was ordered to be received the next day.

The *Chancellor of the Exchequer* moved for the Houſe to reſolve itſelf into a Committee of Supply, and that the treaty with the Elector of Bavaria be referred to the ſaid Committee. Ordered.

The Houſe reſolved itſelf into a Committee of the whole Houſe, for granting a ſupply to his Majeſty.

BAVARIAN TREATY.

The *Chancellor of the Exchequer* moved, that a ſum not exceeding

ceeding 566,688l. be granted to his Majeſty, for defraying the charges of 12,000 men till the 1ſt of April, 1801.

Mr. *Tierney* ſaid, he did not underſtand being called on to vote away the money of the country for carrying on the war in this manner. He begged the right hon. Gentleman to explain ſome circumſtances which appeared to him very extraordinary. The Houſe was called upon to vote for ſubſidies for proſecuting a war in the object of which his Majeſty and the Emperor did not ſeem to agree. He had reaſon to believe the Emperor was averſe from entering into a treaty. He wiſhed alſo to know what had been done with the 500,000l. which had been voted to his Majeſty for carrying his treaties into effect, as he ſaw no mention of it in any papers now on the table. He was alſo deſirous of information as to what ſums were paid and what due to the Emperor of Ruſſia?

The *Chancellor of the Exchequer* ſaid, he would take an early day after the holidays to explain all theſe matters. With reſpect to the 500,000l. it had been voted and applied to the common object of reſiſting the power of France. In regard to the ſums due to the Emperor of Ruſſia, he was not then prepared to ſpeak on that ſubject, but would at all times be ready to give the Houſe every information in his power reſpecting them.

Mr. *Tierney* ſaid, he could not conſent to vote away the people's money on ſuch looſe grounds. About two years ago, a ſum of 160,000l. was advanced to the Emperor of Germany, and he has uniformly refuſed, and ſtill refuſes, to acknowledge it as a debt.

The *Chancellor of the Exchequer* informed the hon. Member, that the Emperor had acknowledged and ratified the payment of that ſum within the preſent year. He did not mean to ſay there was a treaty with the Emperor, but meaſures had been purſued which gave every reaſon to think there were grounds for a treaty with his Imperial Majeſty.

The reſolution was then read and agreed to. The Houſe reſumed, and the report was ordered to be received the next day.

The Committee of Supply was deferred till Friday.

A meſſage from the Lords informed the Houſe, that their Lordſhips had agreed to the reſolutions relative to the countervailing duties, and addreſs thereon, to which they requeſted the concurrence of that Houſe.

The

The addreſs of the Lords was then read and agreed to, and ordered to be made a joint addreſs.

A meſſage was ſent to the Lords, to acquaint their Lordſhips of this Houſe having agreed to the addreſs.

ADULTERY BILL.

The *Maſter of the Rolls* ſaid that a bill had been ſent to that Houſe from the Lords, for the more effectual preventing and puniſhment of adultery. It was not his intention at that time to ſay any thing as to the merits or principle of the bill, he would content himſelf with only moving that the ſaid bill be now read a firſt time; he ſhould then move that it be read a ſecond time, which ſecond reading it would be with the Houſe to fix the day for.

The bill was then read a firſt time; and on the queſtion that it be read a ſecond time,

Mr. *Bouverie* roſe and ſaid, that he wiſhed to evince his total diſapprobation of the bill in the firſt inſtance. He objected to it altogether on Parliamentary grounds, as, in his opinion, it went the length of limiting the rights of Parliament. The bill, he thought, was highly reprehenſible in all its parts; and he was convinced the crime of adultery had ariſen in conſequence of the abuſe of the powers of Parliament in granting divorces, and might very properly be checked without ſuch a bill as the preſent, which he was determined to oppoſe, and to take the ſenſe of the Houſe on it in the preſent ſtage.

The *Maſter of the Rolls* ſaid, that no doubt many Gentlemen preſent might have conſiderable objections to the bill; but he hoped, that as the hon. Member had ſo fully made up his mind upon the buſineſs, as ſo attempt to throw it out without taking it into conſideration, the Houſe would ſhow more reſpect to the quarter from which it came recommended, who had adopted it as a neceſſary and ſalutary meaſure after the fulleſt inveſtigation.

Sir *Gilbert Heathcote* avowed, that he had made up his mind on the ſubject, and would oppoſe it in the preſent ſtage. It was an attempt on the trial by Jury, and went to extend the diſcretion of the Judges, and ſhould have his decided negative.

The *Chancellor of the Exchequer* objected to the nature of Mr. Bouverie's argument, as the hon. Gentleman, he ſaid, did not ſay whether he was a friend to the principle of the

bill, or inimical to it. With reſpect to the principle of the bill, he for his part thought it a good one, but were he of a different opinion, he ſhould ſtill think it was not becoming the character of the Houſe to reject a meaſure paſſed by the other Houſe for the preſervation of the morals of the country, without firſt giving the matter a fair and full conſideration. He therefore anxiouſly hoped the hon. Member would forego his intention of taking the ſenſe of the Houſe in this firſt ſtage of the buſineſs.

Mr. *Wilberforce* ſpoke in favour of the bill being read a ſecond time.

Sir *Heathcote* ſaid in explanation, that the preſent laws were fully ſufficient for the preventing and puniſhment of the crime of adultery.

Mr. *Jolliffe* objected to the bill, as tending to give too much diſcretionary power to the Court of King's Bench.

The *Attorney General* profeſſed himſelf hoſtile to the meaſure, but was of opinion the bill ſhould be taken into conſideration.

The *Secretary at War* ſaid, that he aſſented to the firſt part, though not to the ſecond, but how any Gentleman could object to its proceeding at preſent, he was at a loſs to conceive. Marriage was the foundation of all the virtues of ſociety, and, in reſpect to the other Houſe, this meaſure, which was intended to guard the rights of marriage, ſhould be taken into due conſideration.

Mr. *Martin* was in favour of the ſecond reading.

Sir *Francis Burdett Jones* did not approve the principle of the bill, but thought it ſhould be taken into conſideration.

Sir *Gilbert Heathcote* and Mr. *Wilberforce* ſeverally explained.

Mr. *Hobhouſe* ſaid, that though he did not approve the principle of the bill, he ſhould vote for its being read a ſecond time.

Mr. *Tierney* concurred in the ſentiments of his honourable Friend who ſpoke laſt.

Mr. *Bouverie* ſaid a few words in explanation.

On the queſtion that the bill be read a ſecond time a diviſion took place.

Ayes - 152 *Noes* - 38

The ſecond reading was fixed for Friday next.

A motion was made, and agreed to, that there be laid before the Houſe an account of the total amount of the Poor's Rates, and

and of the income tax paid by the different pariſhes within the bills of mortality, including thoſe of St. Pancras and Mary-le-bone, and diſtinguiſhing the amount of the rates, &c. paid by each pariſh.

INCOME BILL.

On the motion of the Chancellor of the Exchequer, the Houſe then reſolved itſelf into a Committee on the bill for better collecting, &c. the tax upon income, (Mr. Bragge in the Chair),

Mr. *W. Smith* objected to the clauſe which requires a diſtinction to be made in the return of merchants, &c. of how much of their income ariſes from trade, and how much from any other ſource or ſources. This clauſe, argued, in his opinion, very groſs ignorance of commercial buſineſs. The diviſion of property which it called for would only contribute to encreaſe the trouble attending the execution of the act, to render it more vexatious, and to aggravate the inconveniences ariſing from a diſcloſure of circumſtances. If he ſaw that any great national object could be attained by it, he would withdraw his objections to the clauſe; but in his mind it merely went to gratify an idle curioſity.

Mr. *Peel* ſaid there could be but one wiſh, and that was to render the tax as fair and as productive as poſſible.

The *Chancellor of the Exchequer* contended that the general tendency of the clauſe was to aſcertain the amount of what ſhould be paid in under the head of trade and commerce, diſtinguiſhing theſe from all other ſources of income. The utility of attaining this knowledge muſt be obvious to every one, nor was there any room to ſuppoſe that the clauſe could be dictated by any thing like curioſity.

After a few words from Mr. Wilberforce, the clauſe was agreed to.

Mr. *Smith* alſo objected to the clauſe which requires partners in any commercial buſineſs to deliver in their returns jointly or ſeparately. He inſtanced his own caſe, where he ſaid he was wholly ignorant of what returns his partners made. In general there were ſix of them, and he only knew the return made by one of them.

The *Chancellor of the Exchequer* ſaid, that partners were only called upon to ſtate what they knew, viz, whether a ſeparate or a joint return had been made by them, and where was the reſidence of each partner. This would prevent confuſion,

ſuſion, and ſhew where all the partners had given in their ſtatements.

Mr. *Elliſon*, Mr. *Hobhouſe*, and Sir *Wm. Geary*, wiſhed the clauſe might be made as clear and intelligible as poſſible.

The clauſe was then amended by ſubſtituting him or her inſtead of *them*, or, in other words, by permitting each partner to give in a ſeparate ſtatement individually for himſelf.

Mr. *Peel*, Mr. *Wm. Smith*, Mr. *Burdon*, and Sir. *F. Baring*, objected to the clauſe which requires that where a buſineſs is carried on in divers places, then the ſtatement ſhould be given where the principal partner reſides. Their objection was grounded on the idea that the principal partner might reſide at a great diſtance from where the general buſineſs was carried on, and that the return would be made to Commiſſioners wholly unacquainted with the nature and extent of the buſineſs.

The clauſe was then amended by leaving it at the option of the principal partner to name the place where the return ſhould be made.

The ſixth clauſe, empowering the Commiſſioners to appoint receivers, &c. was amended by obliging the ſaid receivers to take an oath of ſecrecy.

In the ſeventh clauſe, the ſum which entitles perſons engaged in trade, in London and its vicinity, to make his return to the Commercial Commiſſioners, was limited to 200l. or to ſuch caſes where the merchant or trader paid 20l. to the tax. But thoſe who ſhould deliver in a lower ſtatement, would be obliged to make their returns to the General Commiſſioners, to whom, however, they ſhould go with all the privileges of ſecrecy, &c. enjoyed by thoſe who delivered their ſtatements to the Commercial Commiſſioners.

Mr. *Wm. Smith* obſerved that the profits on certain trades might ſo fluctuate that a merchant or trader who made a thouſand or five hundred pounds one year might not make 200l. the next: he would therefore, in the latter caſe, be obliged to go before different Commiſſioners from thoſe to whom he made his return the former year.

The *Chancellor of the Exchequer* ſaid, it was difficult to draw a line between the returns of wholeſale and retail traders. But it was not likely that a large trader ſhould ever pay a leſs ſum than 20l. unleſs indeed ſome extreme fluctuation took place in his buſineſs, and then he might make his return on an average of the preceding years.

Mr.

Mr. *Hobhouſe* alſo objected to the clauſe, as impolitic:—the changing of the tribunal before which a trader appeared led to a diſcloſure of his circumſtances which might prove ruinous to his credit; neither could he ſee why the benefit of the clauſe ſhould not be extended to Liverpool, Briſtol, and other great commercial towns, as well as to the city of London.

The *Chancellor of the Exchequer* obſerved that, from the comparative ſmallneſs of theſe places, the local Commiſſioners would be able to form a pretty adequate idea of the circumſtances of every trader, down to the loweſt ſhopkeepers.

On the ſuggeſtion of Sir Francis Baring, the following words were added as an amendment to the clauſe—"and ſhall not have amounted to 20l. the preceding year."

The *Chancellor of the Exchequer* propoſed that the 13th clauſe ſhould be thus amended, viz. that where the aggregate amount of rent, tithes and parochial rates was under the ſum of 300l. a year; then the income of the farmer ſhall be taken at three-fifths of ſuch amount; and where the ſaid aggregate amounted to 300l. a year and upwards, then at three-fourths of ſuch amount.

Mr. *Harriſon* deprecated the adoption of this clauſe, and contended that it was a new tax on the landlord, not on the farmer. He inſtanced a variety of caſes where the farmer would be obliged to throw up his farm, if this clauſe was perſiſted in, and obſerved that the preſent was not exactly the time when the induſtry of the farmer was to be checked and diſcouraged. In his opinion, therefore, the quantum of the tax in the proportions ſhould be altered.

The *Chancellor of the Exchequer* contended that the income of the farmer would only be taxed in the ſame proportion as that of other deſcriptions of the community, and the only queſtion therefore was, whether he ſhould pay a tenth of his income or leſs. He could not ſee why this reſpectable claſs of men required more indulgence than any other. Where the tythes and other parochial rates were low, then the land was high in proportion, and *vice verſa*; and where the poor-rates were encreaſed, then the farmer raiſed the price of his articles in proportion; the one therefore ſhould be ſet againſt the other. Should a caſe occur where the farmer ſhould be diſappointed in his ſpeculations, then there was a proviſo in the bill which gave him a power to prove the real amount of

of his income, and to be aſſeſſed on an average of preceding years.

Mr. *Baſtard* ſaid, that ſeveral taxes which were actually paid by land owners and farmers, were not included in the number for which an abatement was to be granted. Pariſhes were often heavily aſſeſſed for the rebuilding of churches and bridges, which were often deſtroyed by hurricanes and inundations. They were very heavily charged for the making and repairing of highways, and the calling out of the militia had nearly doubled the amount of the poor's rates, which were a direct contribution to Government. The land-holder, therefore, was aſſeſſed by this act for income which he never received. The landed intereſt, and the farmers particularly, were cruelly oppreſſed. He would take the inſtance of a farmer who rented twenty acres of land, at 15l. an acre, which was no uncommon price in the neighbourhood of London, and other great towns. For this farm he would pay 300l. a year of rent, and would be ſuppoſed to make a clear income of 250l. But to pay this tax alone, and pay his landlord he muſt make by theſe twenty acres 550l. a year, which was altogether impoſſible.

Mr. *D. Ryder* ſaid, that ſome criterion was neceſſary, and that he was confident a better could not be diſcovered.

Mr. *Baſtard* ſaid, that many farmers wiſhed to give up their leaſes, that they might be freed from the intolerable burthen of poor's rates. Yet upon theſe poor's rates they were to pay an additional tax.

Mr. *Vanſittart* ſaid, that it was of ſmall conſequence to the farmers whether the poor's rates were high or low, as they paid rent to their landlords in proprotion.

Mr. *Buxton* propoſed, that the poor's rates ſhould be taken at an average for three years paſt, as the farmers would be very unfairly dealt with, were they aſſeſſed in proportion to the poor's rates for the laſt year.

Mr. *W. Smith* ſaid, that he obſerved the value of tithes paid in kind was to be taken. He would be glad to know how that value was to be aſcertained?

The *Chancellor of the Exchequer* ſaid, that the ſame method was adopted laſt year, and no inconvenience had ariſen from it. Nothing ſurely could be eaſier than to aſcertain the value of corn, hay, hops, or any other commodity.

Mr. *Hobhouſe* ſaid that one part of the clauſe had not yet been conſidered, viz. that which encreaſed the proportion to be paid by the farmers. For this ſtep no reaſon had been alledged,

ledged, and he believed that it was impoſſible for any perſon to ſtate one. They had not evaded the tax in the ſmalleſt degree, but had conſcientiouſly contributed all that had been demanded of them.

The *Chancellor of the Exchequer* ſaid, that if too little had been demanded of them, though they had paid that little, he could not perceive why we ſhould not demand more.

Mr. *H. Browne* ſaid, that at all events there could be no oppreſſion, as the propoſed criterion was only *prima facie* evidence, and by making an appeal every one would have juſtice done to him.

Mr. *Jones* reprobated the clauſe as unjuſt and oppreſſive. The farmers, he believed, had paid their juſt proportion, but that the mercantile intereſt had not was the opinion of man, woman, and child.—(*A loud laugh.*) He was glad to find that he afforded merriment to the occupiers of the Treaſury Bench, but he would aſk, whether that fact was not ſtated in the preamble of the bill, which had been withdrawn, and why, if it was ſo, ſome proviſion was not introduced into this bill to remedy the evil?

The *Chancellor of the Exchequer* denied that any ſuch poſition was ſtated in the preamble of the bill alluded to; it was merely ſaid that it would be expedient to alter the mode of collecting the tax upon income ariſing from trade and manufactures. The proviſions of the bill he looked upon as ſalutary, but as it had experienced much ſtronger oppoſition than he had apprehended, he thought it his duty to withdraw it. The income tax, even as it at preſent ſtood, he conſidered as the moſt fair, juſt and equitable tax now exiſting.

Mr. *Vanſittart* ſaid, that the farmer would be very much injured by eſtimating the value of the tythes he paid, as the amount would be greateſt in the worſt years, and he was leaſt capable to contribute. He would therefore take the ſenſe of the Committee upon the propriety of leaving out that part of the clauſe.

Upon a diviſion, there appeared for the amendment 23, againſt it 88, majority 65.

That and the following clauſes were then put, and carried with little oppoſition.

The *Chancellor of the Exchequer* ſaid that he had ſeveral other clauſes to propoſe; but, as the night was ſo far advanced, he ſhould prefer voting them till the ſecond reading of the report.

The Houſe was reſumed, and the report ordered to be brought up the next day.

The Cuſtom-houſe regulation bill, and Rye-bounty importation bill, went reſpectively through a Committee of the whole Houſe, and were ordered to be reported the next day.

The Sugar and Coffee duty bill was reported, and ordered to be read a third time the next day, if then engroſſed.

Adjourned.

HOUSE OF LORDS.

TUESDAY, MAY 27.

The Wapping Wet Dock Bill read a firſt time,

The Earl of *Liverpool* moved, That it be read a ſecond time on Friday. Ordered.

Lord *Walſingham* preſented a petition from the Lord Mayor, Aldermen, and Common Council of the city of London, praying to be heard by their council, and to give evidence at the bar againſt it. His Lordſhip made a motion accordingly.

The Earl of *Liverpool* ſaid he would not object to counſel being heard againſt it on the ſecond reading, but he muſt ſet his face againſt the examination of witneſſes, as in that caſe it would take five years to go through the evidence, as it had done in the Houſe of Commons.

It was then moved, That a meſſage be ſent to the Houſe of Commons, to deſire a copy of the report, which their Committee had made of the evidence taken by them on the ſubject, that it might be laid before the Houſe. Ordered.

A meſſage was ſent accordingly, and an anſwer returned, that they would ſend the report by meſſengers of their own.

The queſtion of printing the evidence was, on Lord Eldon's ſuggeſtion, deferred till after counſel ſhould have been heard, as the evidence fills five volumes in folio.

The Commons ſent up a meſſage, ſtating that they had agreed to the addreſs of the two Houſes of Parliament in Ireland, and the reſolution reſpecting countervailing duties, and to the addreſs of the Houſe thereupon, in order to make it a joint addreſs of the two Houſe.

Mr. *Douglas* brought up a copy of the countervailing duties agreed on by the Commons.

Lord *Auckland* moved to agree to the addreſs and reſolutions, having previouſly moved to fill up the blank with the words "Spiritual and Temporal." Agreed to.—Adjourned.

HOUSE

HOUSE OF COMMONS.

TUESDAY, MAY 27.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Hop Duty Bill, and to ſeveral private bills.

The bill for preventing butchers from damaging hides, &c. was read a firſt time, and ordered to be read a ſecond time on Friday next.

The Sugar Duty and Warehouſing Bill was read a third time and paſſed.

Sir *Charles Bunbury* moved, That there be laid before the Houſe an account of the number of perſons confined for debt in the different jails within the bills of mortality, diſtinguiſhing the number confined in each jail. Ordered.

A meſſage from the Lords acquainted the Houſe that their Lordſhips had appointed Friday next for taking into conſideration the Bill for building Wet Docks for the improvement of the port of London, and deſired that the Houſe would furniſh their Lordſhips with a copy of the minutes of the evidence given in at their bar, and the reports given in by their Committees on that ſubject in the years 1796 and 1799.

The *Speaker* informed the meſſengers that the Houſe would furniſh the minutes and the papers deſired by their Lordſhips.

Mr. *Douglas* brought up the report of the Committee on the countervailing duties, to be paid on articles of Britiſh manufacture, on being imported into Ireland.

The reſolutions being read and agreed to,

The *Chancellor of the Exchequer* moved, That an humble addreſs be preſented to his Majeſty, laying before him a ſtatement of the countervailing duties, which it was thought neceſſary ſhould be impoſed upon articles of the growth, produce, or manufactures of Great Britain, when imported into Ireland, and praying that his Majeſty would be graciouſly pleaſed to communicate the ſame to the two Houſes of Parliament in Ireland.

This motion was agreed to, and a Committee appointed to draw up the addreſs, which was to the above effect.

Mr. *Abbott* moved the order of the day, for the Houſe to reſolve itſelf into a Committee on the bill for the more effectually enforcing the payment of intereſt by public accountants. But previous to the Houſe reſolving itſelf into the ſaid Committee,

Mr. Abbott moved, as inſtructions to the Committee, that

intereſt ſhould alſo be allowed to public accountants, where a balance was found to be in their favour; and that proviſion ſhould be made in the bill for more effectually compelling the payment of balances due from public accountants. Theſe inſtructions were received by the Committee, and the Chairman was ordered to report progreſs, and aſk leave to ſit again.

Mr. *Bragge* then brought up the report of the Committee on the new Income Bill, when

The *Chancellor of the Exchequer* moved a variety of clauſes, which were ordered to make part of the bill.

Mr. *Wm. Smith* objected to the clauſe which empowered the commiſſioners to dictate the form of the ſchedules to be given in, and to call for as many of them as they might deem neceſſary. This power was far too large, and it was his opinion that the clauſe ſhould be withdrawn altogether.

The *Chancellor of the Exchequer* contended that the commiſſioners had now only the power of getting that information in writing, which they before might collect *viva voce*. After ſome further converſation, Mr. Smith was going to preſs a diviſion, but not being willing to interrupt the progreſs of public buſineſs he would not perſevere in his intention, ſeeing the Houſe was ſo very thin.

The clauſe was then agreed to without a diviſion.

The *Maſter of the Rolls* was of opinion that the caſe of the farmers was ſtrained rather too far; he ſhould therefore propoſe thus to amend the clauſes reſpecting them, viz. That where the aggregate of their rent, tythes and parochial rates, did not amount to 300l. that their income ſhould be taken at one half inſtead of three-fifths of ſuch amount: and that where the above aggregate amounted to 300l. and upwards, the income ſhould be taken only at three-fifths inſtead of three-fourths

This amendment was agreed to.

The reſolutions were then read a ſecond time and agreed to; and after ſome converſation between the Chancellor of the Exchequer, Mr. W. Smith, and Mr. Hobhouſe, with regard to the propriety of delay, the bill was ordered to be printed, and to be read a third time on Friday next.

Mr. *Douglas* acquainted the Houſe that he had been at the Houſe of Lords, and had delivered the addreſs to their Lordſhips.

Mr. Douglas brought up the report of the Committee of Supply, which was read and agreed to.

A meſſage from the Lords informed the Houſe that their Lordſhips

Lordſhips had agreed to the addreſs to his Majeſty, communicated to them by the Commons.

Mr. Sheriff *Flower* preſented a petition from the Lord Mayor, Aldermen and Commons of the city of London againſt the Bank of England Buildings Bill; which was referred to the Committee on the bill; and another petition, praying for the extenſion of the bill for regulating the driving of carts in London and Weſtminſter, which was referred to a private Committee.

A perſon from the Chamberlain's Office of the city of London preſented ſeveral accounts with regard to the tolls taken on the River Thames. Ordered to lie on the table.

The Leith Harbour Bill went through a Committee, and was ordered to be reported the next day.

Leave was given to bring in a bill to diſcharge ſeveral eſtates belonging to John Kerr, Earl of Errol, and Lord High Conſtable of Scotland, from certain dormant and diſputed titles of the public.

The Houſe went into a Committee on the Judges Increaſe of Salary Bill; and being reſumed, the report was ordered to be brought up the next day.

Mr. *Sylveſter Douglas* gave notice, that he intended the next day to move for leave to bring in a bill to aſcertain the operation of the redemption of the land-tax on the right of voting for the Knights of the Shire.

Mr. *H. Dundas* ſaid, that his right hon. Relation would not bring forward his promiſed motion with regard to the adminiſtration of juſtice in India till after the holidays.

The Colliery Regulation Bill was reported and ordered to be recommitted on Monday the 4th of June.

The Cuſtom Houſe Regulation Bill was reported and ordered to be read a third time the next day.

The Rye Bounty Importation Bill was read a third time and paſſed.

The Public Accountant's Intereſt Bill went through a Committee of the whole Houſe, and was ordered to be reported the next day.

HOUSE OF LORDS,

WEDNESDAY, MAY 28.

The *Lord Chamberlain* (the Earl of Saliſbury) delivered a Meſſage from his Majeſty, ſignifying that it was his Majeſty's pleaſure to be waited on with the joint Addreſs of both Houſes on the Reſolutions from the Parliament of Ireland, reſpecting their Countervailing Duties, at three o'clock.

The Addreſs is to be carried up by a Deputation of Members of both Houſes. Notice, therefore, was brought up to the Bar of the names of the Members deputed by the Commons.

The ſeveral Bills on the table paſſed a ſtage each.

Adjourned till Friday next.

HOUSE OF COMMONS.

WEDNESDAY, MAY 28.

On the motion of Mr. W. Dundas, a new writ was ordered for the election of a Member to ſerve for the city of Edinburgh, in the room of the right hon. Henry Dundas, who had vacated his ſeat by accepting the office of Keeper of the Privy Seal of Scotland; and another for the election of a Burgeſs to ſerve for the Borough of Rye, inſtead of Robert Dundas, Eſq. who has accepted the Office of Keeper of the Signet.

Mr. Manning was ſent with a meſſage to the Lords to communicate a copy of the minutes of the evidence laid before the Committee on the Wet Dock Bill.

A Meſſage from the Lords informed the Houſe, that his Majeſty had given notice that he would be ready to receive the joint Addreſs of both Houſes of Parliament the next day, at three o'clock, at his palace at St. James's; and that the Lords had agreed to the Coffee and Sugar Duty Bill.

On the motion of the Attorney General, the right hon. the Maſter of the Rolls, the right hon. the Secretary at War, the right hon. Lord Hawkeſbury, and the right hon. Sylveſter Douglas, were appointed to preſent the Addreſs on the part of the Commons.

Mr. *Newbolt* moved for leave to bring in a Bill to prevent delay in the proceedings in the Court of Common Pleas at Lancaſter. Leave granted.

Mr. *S. Douglas* moved, that a Committee be appointed to conſider the ſeveral Acts with regard to the operation of the Land Tax on the right of voting for Knights of the Shire. Ordered.

LOTTERY.

In purſuance to the order of the day, the Bill for granting to his Majeſty a ſum of money, to be raiſed by way of Lottery, was read a third time.

On the motion of Mr. Bragge, that the Bill do paſs,

Mr. *Hobhouſe* roſe and ſaid, that he highly diſapproved of the 27th Clauſe of the Bill, commonly called the vagrant Clauſe.

Clauſe. By that all conſtables and peace officers were empowered to break open during the night the houſe of any licenced Lottery Office Keeper whom they ſuſpected of carrying on illegal tranſactions. This power was unconſtitutional, oppreſſive, and unneceſſary. Licenſed Lottery Office Keepers were obliged to give ſecurity for their good behaviour; they were obliged to take an oath not to engage in any illicit practices, and they were ſubject to very high penalties if they were convicted of doing ſo. Yet they were placed on a footing with thoſe who had no licence, and who were under little controul. He could not conſent to ſuch injuſtice: he therefore moved as an amendment, that after the words "it ſhall be lawful for Magiſtrates to iſſue their warrant for ſearching any houſe or place," theſe words be inſerted "not duly licenſed to ſell Tickets or Shares."

Mr. *Bragge* ſaid, that the Clauſe objected to by the hon. Gentleman had always ſtood in the Bill, was well known, and had never been objected to. It was no real grievance, and was quite neceſſary to prevent frauds detrimental to the revenue, and illegal practices ruinous to the morals of the people.

Sir *W. Pulteney* remonſtrated againſt the injuſtice of oppreſſing a regular trade already under great reſtrictions. The Lottery Office Keepers had often complained of thus being laid at the mercy of a parcel of unprincipled informers; though truſting to the juſtice of the Houſe they had never petitioned it upon the ſubject.

Mr. *Attorney General* ſaid, that the power intruſted to the Magiſtrates had never been abuſed, and that it was abſolutely neceſſary for the well being of the State. If licenſed Lottery Office Keepers were exempted from the general reſtriction, every perſon who wiſhed to open an Inſurance Office would take out a licenſe and commit the greateſt enormities with impunity. He believed that every reſpectable Lottery Office Keeper in the Kingdom approved highly of the regulation, as it promoted their own intereſts not leſs than thoſe of the public.

Mr. *Jones* reprobated the clauſe, as it ſubjected a moſt reſpectable ſet of men to domiciliary viſits; he could call them nothing elſe, and theſe no Engliſhman can or ought to ſuffer.

Mr. *Buxton* ſaid the greateſt abuſes had been committed before the regulation was adopted, and that they would all be revived the moment it was repealed. The regulation was ſuggeſted

ſuggeſted by one of the moſt intelligent and uſeful members of the community when he was a magiſtrate at the eaſt end of the town—he meant Mr. Wickham.

Mr. *Hobhouſe* ſaid, that he was ſtill convinced of the expediency of his amendment; but, as he ſaw that it was diſapproved by the Houſe he begged leave to withdraw it.

The bill was then paſſed, and ordered to be carried up to the Lords.

The report of the Committee on the Scot's Judges' Salary Bill was brought up, and a bill ordered in purſuance of its ſeveral reſolutions.

A new writ was ordered for the borough of Tiverton in Devonſhire, for the election of a member to ſerve in the room of the hon. Dudley Ryder, who has accepted the office of Treaſurer to the Navy.

The Leith Harbour Bill was reported and ordered to be read a third time on Friday.

The report of the Committee on the Public Accountants' Intereſt Bill was brought up, and ordered to be taken into further conſideration on Friday.

The order of the day being read, for the further conſideration of the report of the Committee on the Menial Servants' Bill,

Mr. *Folliffe* ſaid that he ſo much diſapproved of it, that he muſt oppoſe the Speaker leaving the Chair.

Upon this a diviſion took place, and there not being forty members preſent, the Houſe adjourned to Friday.

HOUSE OF LORDS.

FRIDAY, MAY 30.

Twenty-two public, and eight private bills, received the Royal Aſſent by Commiſſion.

A variety of bills were read a third time, and ſeveral others paſſed a ſtage each.

Earl of *Liverpool* moved that the counſel be called to the bar to be heard againſt the bill for the Wapping Wet-docks, in conformity to the prayer of a petition that had been preſented from the city of London.

Lord *Eldon* took his ſeat at the table, and the counſel being called to the bar, his Lordſhip informed them, that if they meant to oppoſe the principle of the bill, the ſecond reading, which ſtood for that day, was the proper ſtage for urging their arguments; but if they wiſhed merely to object to particu-

lar

lar clauſes, and ſuggeſt alterations, when the bill was in the Committee would be the time for doing ſo; or, upon the report they might be heard generally againſt the whole bill.

Mr. *Plumer* ſaid, if they were afforded an opportunity of objecting in any ſtage of the bill, the petitioners would be contented, as they were averſe to the whole of the plan and all its parts, and therefore it would be more convenient to wait for the Committee.

The bill was read a ſecond time, and committed for Friday next. Several bills were brought up, preſented and read a ſecond time.

Among the bills that received the Royal Aſſent, was the Hackney Coach Bill, the operation of which, in reſpect to the alteration of fares, takes place immediately from the paſſing of the bill. Adjourned to Friday next.

HOUSE OF COMMONS.

FRIDAY, MAY 30.

A new writ was moved for Wendover, in the room of Mr. Canning, who has accepted the place of Joint Pay-maſter of his majeſty's forces.

The *Speaker* informed the Houſe that he had been in the Houſe of Lords, and heard the Royal Aſſent given by commiſſion to the Sugar and Coffee Expo tation Bill, the Hackney Coach Bill, and ſeveral private bills.

The *Maſter of the Rolls* informed the Houſe, that his Majeſty had been waited on with the addreſs of both Houſes, which he had been pleaſed to receive moſt graciouſly.

A new writ was moved for Penrhyn, in the room of Thomas Wallace, Eſq. who has accepted the place of one of the Commiſſioners of the affairs of India.

Mr. *Windham* poſtponed his motion, intended for this day, for a certain ſum of money towards an inſtitution for providing for the Orphan Children of Soldiers, which he gave notice he intended to bring forward the firſt day there is a Committee of Supply after the holidays.

The Horſe Hide Bill was read a ſecond time, and ordered to be referred to a Select Committee.

The bill for authoriſing the Barons of the Exchequer in Scotland, to advance money for the improvement of Leith Harbour, was read a third time, and paſſed.

Mr. *Bragge* moved for a Committee to prepare an eſtimate of allowances to be made to ſubalterns in the Militia in time of peace.

Mr. *Devaynes* brought up a petition from certain perſons of the city of London, praying for leave to bring in a bill to incorporate the petitioners into a company, to be called "The London Company for the manufacture of Flour, Wheat, and Bread." The petition ſtated, that it is propoſed to raiſe 120,cool. by ſubſcription, which is to conſtitute the capital of the Company—this capital is to be divided into 4,800 ſhares, and no one perſon to hold more than forty ſhares at 25l. each. The Company may borrow 30,cool. to increaſe the capital to the amount above ſtated—that they are not to divide more than 10l. per cent. profit, and that they ſhall be empowered to appoint managers, &c. The petition being read, was referred to a Committee.

Sir *Wm. Heathcote* moved for leave to bring in a bill for the better preſerving the timber in the New Foreſt.

On the motion of Sylveſter Douglas, a Committee was appointed to conſider of an allowance to be made to Subaltern Officers of Militia when reduced in time of peace.

ADULTERY BILL.

The order of the day for the ſecond reading of the bill for the better preventing and puniſhing of the crime of Adultery being read,

Sir *George Dallas*, in a maiden ſpeech of ſome length, took a various and rather a detailed view of the whole bill. He admitted that, as far as the principle of the meaſure ſtood revealed, it was incumbent on every man, wiſhing well to the happineſs of ſociety, to give the bill every ſupport Great credit was due to the noble Perſons with whom the bill originated, for their intentions and motives were obviouſly to guard the morals of the country, and to repreſs the growth of a lamented and diſgraceful vice. The principle of the bill was to correct the evil, by enacting penalties which, if wiſe and politic, might juſtly be expected to operate to the prevention of the crime of adultery. Whatever really tended to produce circumſtances of diſcouragement to the vicious and profligate, would have his moſt cordial ſupport; but though he approved of the clauſe in the bill making adultery a miſdemeanour, yet he very much doubted whether the ſucceeding clauſes would promote the object of the framers of them. In his opinion, the female who, from her education, the comparative weakneſs of her mind, ariſing from a marked difference in the habits and purſuits of the ſexes, and a proneneſs to gaiety and unſuſpecting levity, is made but too often the eaſy

eaſy prey of an artful ſeducer, would be by the marriage-clauſe puniſhed moſt cruelly, while her ſeducer ſuffered no puniſhment at all. The bill was framed to repreſs vice, and encourage virtue, but if it did not tend to increaſe the vice of adultery, he would venture to ſay, and he founded his opinion on a pretty full conſideration of the ſubject, it would prove injurious to ſociety. All who knew the world, and who knew any thing of the nature of man in ſociety, need not be told that there are ſeducers, who, though in becoming ſuch they diſturb the tranquillity and happineſs of families, are yet in all other reſpects men of honourable feelings, of ſound and diſtinguiſhing virtue: while, on the other hand, there are the ſeducers who having no paſſions but groſs and profligate luſt, have no other object but the violation of female chaſtity. In the former claſs, the ſeducer, as a man of honour, feeling for the unhappy ſituation of a weak, deluded female, feels himſelf bound to marry her; whilſt the other deſcription of ſeducers, never intending to act with ſo much honour, and regarding marriage as an obſtacle to his licentious purſuits, will find in this bill the moſt perfect ſecurity againſt all appeals to his feelings, becauſe it enacts that the parties ſhall not be eligible to marry. It might be anſwered, that it will reſtrict the evil to adopt the clauſe, ſo far as it relates to a virtuous heſitating female, who, unhappily forming a ſtrong attachment for a man, is tempted to infidelity by a promiſe of marriage. It was not to be denied, that if the bill were paſſed into a law, poſſibly ſuch a woman would ſhrink from a crime which, in committing, is to make her for ever wretched; and the man of honour might be alſo made to ſhrink from a purſuit that in its ſucceſs was to be ſo ruinous to the object of his affections. But if, as far as reſpected perſons ſo formed and ſo gifted, the remark here made was forcible, how much more forcible the argument founded on a view of the condition of a female ſeduced by a man utterly devoid of honour, and the preſent bill utterly free from all obligation to act with generoſity. The ſituation of the female was not juſtly conſidered. Tempting and tempted, ſhe was one moment the object of averſion, and another of love. Her nature, however, was formed rather from an anxiety to pleaſe man than to be pleaſed herſelf. The ſex is not vicious in all, nay, not in many caſes, from choice; they imbibe their vices from man. How little power has a woman to reſiſt the inſinuating poliſhed addreſs, the faſcinating eaſy playfulneſs, the beauty of figure, giving ſplendour to the rich and various accom-

pliſhments of mind which unite and mingle in the complete man! The female who is ſo allured yields to paſſions which are never to be wholly regulated, certainly never to be altogether ſubdued. Yet it was far from his wiſh to apologize for a vice which he moſt ſincerely deprecated. All he aſked of the Houſe was, to be merciful; to act with every proper tenderneſs in a ſituation ſo peculiarly delicate, and to recollect that it is of the King of kings and the Judge of judges we read—"The Lord delighteth not in the death of a ſinner, but would rather that he would repent and live."—Here the hon. member entered on a brief recapitulation of his principal arguments. He adjured the Houſe not to paſs a law of impolicy for repealing a law. Inſtead of enacting a law that in all caſes the parties ſhall not marry, the Houſe ought to paſs a law impoſing the neceſſity of marrying on the ſeducer againſt whom it ſhould be proved that his conduct was wholly the reſult of debauched and profligate luſt. Such a law might operate to repreſs ſuch men, while it would afford ſecurity to the unſuſpecting female. It was not true that the ſtate of morals is now more depraved (as had been ſaid) than in any former period of our hiſtory. Would Gentlemen look at the matrons of England inſpiring their offspring with ſentiments of piety and virtue—at fathers pointing to the glory of their country as the prize for which their ſons muſt ſtruggle—at a whole nation pouring forth its thanks to Almighty God for the late diſplay of his goodneſs, in reſcuing from peril the life of a Sovereign on whoſe ſafety depended the happineſs of a loyal people? The hon. Baronet concluded by expreſſing a wiſh that the Bill might be amended in the Committee.

Sir *Wm. Scott* entered into a very wide and minute examination of the principle and different enactments of the Bill. There were many conſiderations to induce him not to give the meaſure his ſupport, while there exiſted a few (and they were very few) reaſons to incline him to be friendly to it. In one thing, however, he did hope there would be a diſpoſition manifeſted on all ſides entirely to concur: this was, that the Bill ſhould be permitted to go into a Committee. In a Committee the true merits of the Bill might be inveſtigated and diſcuſſed; and if, after receiving that mature and full conſideration, confeſſedly due to a meaſure of ſuch real importance, it did appear that it would not tend to the ſecurity of public morals to paſs the Bill into a law, then he would truſt to the good ſenſe and virtue of the Houſe that it would be rejected.

Much

Much had been ſaid in another place of the alarming increaſe of divorces; but however highly finiſhed the pictures drawn by ſome able moderns of the vice of our days, he was not to be convinced that the force of public virtue was decayed, that the ſtate of morals in this country would not bear a compariſon with the morals of any of the countries of Europe at preſent, or with Engliſh manners and morals at any period. In the age of Dryden, and forward to the age of Congreve, illicit amours, adultery, and licentiouſneſs were ſo much and ſo generally the burden of dramatic compoſition, that, judging of Engliſh manners as they are repreſented in the writings of thoſe authors, it was to be aſſumed that the preſent is comparatively an age of virtue. But the number of divorces in latter times originated from a cauſe quite diſtinct from the corruption of morals. In the days of ſevere church diſcipline, but eſpecially when the religion of the Church of Rome was univerſal, marriage was not as now a civil contract, but a ſacramental engagement. The doctrine of the papal hierarchy was, that no human tribunal could diſſolve the marriage contract, whatever might be the conduct of the parties; and down to the period of the Reformation that doctrine prevailed. When the reformation, changing the habits of men, changed alſo their ſentiments, grew up to dominion, a leſs rigid ſyſtem aroſe on the wreck of popery. We then ſaw more freedom obtain in all intellectual purſuits, and in the general modes of thinking and of acting. Yet Cranmer, who was comparatively a man of enlightened mind, and who figured conſpicuouſly in the Reformation, held the opinion that human tribunals were not competent to adjudge between the married, and to diſſolve their vows. And even after the rigour of church diſcipline relaxed, marriage was conſidered, as in truth it is, a high, a ſolemn, a myſterious ordinance. In the year 1669, a caſe came to be tried before the Lords, in which the party ſuing for a divorce clearly maintained his allegations; yet ſo jealous were the churchmen of human tribunals, in matters relating to marriage, that all the biſhops, except two, voted againſt the bill. In 1719, a ſtrengthening circumſtance, as far as it affected the argument, occurred in the caſe of Sir George Downing. But it was not any proof of increaſed depravation of morals, that divorces had of late years increaſed. The facility of procuring bills of divorce, and other circumſtances wholly unconnected with the ſtate of public morals, were among the cauſes of divorces increaſing. Before the Reformation there were no divorces in Parliament

liament it is very true, and for the reaſon I have given, but were there no adulteries?—were there no proceedings in the Eccleſiaſtical Courts—*Adulterii cauſâ?* I ſhould think, from ſome circumſtances, that in thoſe times there was occupation enough in thoſe Courts of that ſpecies. After the Reformation, for above one hundred years, there was no proceeding in Parliament for divorces, and for a reaſon I have likewiſe given. But the Eccleſiaſtical Courts were entertaining ſuits of that nature. After Parliament had very reluctantly entertained ſuch applications, the public came in very ſlowly, for the prejudices of the country continued ſtrong againſt the total diſſolution of marriages; and it is not till within theſe thirty years that thoſe prejudices are worn away (though not yet totally extinct) and that applications to Parliament have become frequent. But the Eccleſiaſtical Courts were in the mean time open for ſeparations *a menſâ et thoro*; probably not in the number received, ſince Parliament made a proceeding in the Eccleſiaſtical Court abſolutely neceſſary, becauſe private ſeparations could in general anſwer the purpoſes of a huſband nearly as well as the ſeparation of ſentences; and there is juſt reaſon for thinking that the Eccleſiaſtical Court was principally reſorted to by women complaining of the infidelity of their huſbands, and compelling the payment of alimony in a ſtate of ſeparation. But ſuits were certainly entertained on the part of the huſband, where he was determined to allow no ſubſiſtence to a delinquent wife, and no private agreement could be eſtabliſhed; and I preſume that ſuch ſuits were much more numerous than thoſe which appear in Parliament. He had conſulted the annals of the Court in which he preſided, and could not ſay that it appeared to him that the progreſs of divorces, and even of caſes of adultery, was ſo very alarming as had been imagined. In the years from 1770 to 1780, there might be 44 ſentences of ſeparation *a menſa et thoro*; from the ten years from 1780 to 1790, there might be 23; and in the ſucceeding ten years about 52. Here then there were no proofs of greater depravation of morals in our time. However, he was far from intending to ſay any thing that might ſeem to leſſen the ſanctity of marriage. On this inſtitution, on its permanence, on its perfection, on its ſecurity, depended the continued happineſs, the virtues, and the peace of ſociety. Before man left his woods, marriage was accidental, in other words, the intercourſe of the ſexes was chiefly regulated by laws of inſtinct. Society changed the condition of man, and marriage neceſſarily

neceſſarily became a civil contract. The progreſs of the ſocial ſtate, as it led to important moral reforms, was to beget a religious inſtitution, and now the marriage contract is rendered ſacred by a vow taken as it were in the preſence of God, at the altar. With reſpect to the clauſes of the bill, he did not diſapprove of making adultery a miſdemeanour; but thought that thoſe who had ſhewn ſuch anxiety to prevent the adultery of the wife, ought alſo to have endeavoured to prevent the adultery of the huſband. As men, we ought to begin with reforming ourſelves—*(A laugh)*—As a father of children of both ſexes, while he wiſhed to ſee ſomething in the bill to guard the morals of his daughters, he equally wiſhed that protection might be afforded to his ſons. He admitted, that although the Eccleſiaſtical Courts may inflict puniſhments, yet they are of a nature which would be attended with public expoſure, and therefore by no means adapted to the preſent ſtate of manners. Thus much the puniſhment propoſed in the preſent bill might be a proper one. But Gentlemen appeared not to conſider the great additional expence the bill would beget. A man muſt go to the Eccleſiaſtical Court, to the Criminal Court, to the two Houſes of Parliament, to get his divorce. Another objection was, that one of the clauſes enacted that no action can be maintained by a man not living with his wife. Now how would this affect a man abroad for inſtance?—for that might be conſidered in law a ſeparation. Having urged theſe arguments with much eloquence, the learned Baronet concluded by expreſſing his wiſh that the bill ſhould be committed.

The queſtion was then put, that the Bill be now read a ſecond time? which was carried without a diviſion.

The Bill was then read a ſecond time, and ordered to be committed on Monday ſe'nnight.

INCOME TAX.

The Income Tax Bill was read a third time.

The *Chancellor of the Exchequer* ſaid that he could ſee nothing any way objectionable in the clauſe which empowers the commiſſioners to make out ſchedules in the way they think beſt calculated to obtain their object, and to oblige the parties to return an anſwer within a reaſonable time. However, ſince it had given conſiderable offence, he would beg leave to withdraw it, and to ſubſtitute another in its room, which he was ſure would meet with general approbation. The clauſe he held in his hand directed the commiſſioners, when no anſwer is returned to their enquiries in writing, to ſummon

ſummon before them the parties whoſe income they wiſh to aſcertain, and to examine them *viva voce*.

Mr. *W. Smith* ſaid, that he was glad that the clauſe had been withdrawn, as it placed in the hands of the commiſſioners a moſt unlimited, oppreſſive, and unneceſſary power. However, ſince this freſh one had been ſubſtituted, the evil had only been mitigated, as great vexations ſtill might and would be practiſed.

After ſome converſation between the Attorney-General, Sir W. Geary, Mr. W. Smith, and the Chancellor of the Exchequer, the clauſe was read three times, and ordered to be added to the bill by way of rider.

A conſiderable number of verbal amendments was moved, and agreed to, and the Bill was then paſſed, and ordered to be carried to the Lords.

The order of the day being read, for the conſideration of the Amendments made by the Lords on the Hop Duty Suſpenſion Bill,

The *Speaker* ſaid that he felt it his duty to call the attention of the Houſe to the nature of theſe amendments. The bill, when it was ſent up to the Lords, enacted that the duties now payable on hops imported into this country ſhould be ſuſpended till the 1ſt of January, 1801; their Lordſhips had thought proper to abridge the period of the ſuſpenſion, and had made it terminate on the 1ſt of September, 1800. A new tax was thus impoſed upon the ſubject, and for this meaſure to originate in the Houſe of Lords, was a breach of their privileges which he was ſure the Houſe of Commons would not endure. He therefore ſuppoſed that they not only would not agree to the amendments, but that they likewiſe would not permit any freſh Bill with theſe amendments to be brought in.

On the motion of the Chancellor of the Exchequer, the Amendments were ordered to be taken into conſideration this day three months.

POOR BILL.

The order of the day for referring to a Committee the Petition for the Relief of the Poor being read, it was moved to appoint the Committee on Friday next.

Mr. *Robſon* ſaid, he ſhould move inſtead of Friday this day three months. There had been a meeting in Mary-le-bone, and they were much alarmed at the prayer of the Bill, which they conſidered as in effect going to tax them and other pariſhes, to ſupport poor which did not belong to them.

Mr.

Mr. *Jones* ſeconded the motion.

Mr. *Chancellor of the Exchequer* ſaid, nothing could be more improper than the mode ſuggeſted of getting rid of this petition. It came from a reſpectable Committee, who had been diſtributing the ſubſcription of their fellow-ſubjects in aſſiſtance to the poor during the ſeaſon of uncommon ſcarcity. They ſtated that the funds were nearly exhauſted, and they applied to Parliament for ſome new reſource. The petition had been ordered to be referred to a Committee, who were to enquire and report if any thing and what was fit to be done, yet the hon. Gentlemen would wiſh to put beyond the preſent Seſſion any enquiry at all.

The order of the day for the conſideration of the Petition for the Relief of the Poor was deferred till Friday.

The Bill for the better charging Public Accountants with the payment of intereſt went through a Committee of the whole Houſe.

Several new clauſes were brought up and agreed to, and the Houſe being reſumed, the Report was ordered to be brought up on Friday.

Mr *Wilberforce* moved, that there be laid before the Houſe an account of all ſhips and veſſels which have arrived in the Weſt Indies with ſlaves, diſtinguiſhing the number of ſlaves, and the Iſlands into which they have been imported, ſince the 5th January, 1795, till the 5th January, 1800.

The other orders of the day were then deferred, and the Houſe adjourned till Thurſday next.

HOUSE OF COMMONS.

THURSDAY, JUNE 5.

A petition was preſented againſt the Bank Buildings Bill. Referred to the Committee.

Lord *Hawkeſbury* moved, that a humble Addreſs be preſented to his Majeſty, praying that he would be graciouſly pleaſed to lay before the Houſe a copy of the minutes of the evidence laid before the Privy Council, with regard to the manufacturing flour and bread.—Ordered.

A perſon from the Tax-office preſented an account of the number of Officers propoſed to be added to thoſe employed in collecting the Income Tax.—Ordered to lie on the table.

The Scots Judges' Salaries Bill was read a ſecond time, and ordered to be committed the next day.

The Menial Servants' Regulation Bill was ordered to be re-committed the next day.

The Public Accomptants Intereſt Bill was reported, and ordered to be read a third time the next day.

ADULTERY BILL.

The *Maſter of the Rolls* ſaid, that the order for the commitment of the Bill for prevention and puniſhment of the crime of Adultery ſtood for Monday, but as he underſtood it would be inconvenient for ſome Gentlemen to attend on that day who wiſhed to take a part in the diſcuſſion, he would wiſh it to be put off. He could foreſee no objection to a meaſure of this nature, as the friends and enemies of the Bill would have an equally good opportunity of defending or oppoſing it.

Mr. *Sheridan* ſaid, that he could have wiſhed to have heard a better reaſon for ſuch a ſtep. All the Members of the Houſe had believed and expected that the debate would come on on Monday, and had made their arrangements accordingly. Had the learned Gentleman moved that farther proceedings on the Bill ſhould be adjourned to this day three months, he would have heartily ſeconded the motion: had he ſtated that ſome important and urgent public buſineſs was to be brought before the Houſe on Monday, he would have acquieſced in it; but he muſt oppoſe the preſent motion, as no argument had been adduced in ſupport of it. Indeed no argument had ever been adduced in ſupport of the Bill at all, and the ſooner it was thrown out of the Houſe, in his opinion, the better.

The *Chancellor of the Exchequer* ſaid, that he himſelf by no means wiſhed to put off the diſcuſſion of a meaſure which he highly approved and would ſtrenuouſly ſupport; but he could ſee no objection in the world to deferring it a day or two, when by that means ſeveral Gentlemen would be accommodated and a fuller attendance would be procured. The hon. Gentleman could hardly ſay with juſtice that no argument had been adduced in favour of the Bill, or fairly preſume that it would be caſt out after the excellent ſpeech of a learned Gentleman, which all had heard with ſuch pleaſure, and after the Bill had been ordered to be committed without a diviſion.

Mr. *Sheridan* explained.

Sir *Gilbert Heathcote* ſaid, he would be ſorry to ſee the debate upon the Bill deferred, as Gentlemen would immediately begin to leave town, and it might not thus meet with the full and deliberate diſcuſſion which its magnitude required. The reaſon why the Bill had been allowed to go into a Committee without

without a diviſion was, that his party had not properly made their arrangement, and was taken by ſurprize.

The *Maſter of the Rolls* ſaid, that he would move that the Bill be committed on Tueſday, were it not that that was an opera night, and many of the oppoſers of the Bill might complain that they were deprived of their favourite amuſement. However, he thought they might ſacrifice it for one night, when a meaſure, in which they were ſo deeply intereſted, was then to be debated.

Sir *Gilbert Heathcote* reſented the imputation caſt upon the oppoſers of the Bill. Many of them were grave and experienced perſonages, and by no means all light headed young fellows, who conſidered their oppoſition to the Bill in the ſame light as their attendance at an opera.

Mr. *M. A. Taylor* ſaid, that he was one of thoſe volatile youths who oppoſed the Bill. He was ſorry that it had gone ſo far, and if his advice had been taken, its progreſs would ere now have been put a ſtop to.

The motion that the Bill ſhould be committed on Tueſday next, was then put and carried without a diviſion.

INCOME TAX.

Mr. *Tierney* ſaid, that he roſe in purſuance to the notice he had given, to move for the repeal of the tax now payable on Income. Theſe were not, however, the words of the motion he ſhould have the honour of bringing forward, as he ſhould conclude by moving for leave to bring in a Bill only to limit its duration. He was anxious that his views ſhould be clearly underſtood, particularly as a notion had gone abroad that it was his object to have the Income Tax immediately aboliſhed, and thus embarraſs the operations of Government. He had no objections to its continuance for another year, and the period he ſhould wiſh for its determination was the 5th of April, 1801. Even then it would be competent for any Member to move that it be revived; and, if the war ſhould unfortunately continue, he perhaps ſhould not violently oppoſe ſuch a motion. It certainly was a war-tax, and, like every other war-tax, ſhould be voted annually: he therefore could not foreſee on what grounds his motion could be oppoſed, even by thoſe who approved of the preſent ſyſtem of finance. It would be aſked, what induced him to bring forward a motion of this nature at the preſent moment? He replied, that he wiſhed to take the opinion with regard to the expedience of the tax, of that Parliament which had impoſed it; and he was ſtill more

induced to make the motion now, from a wiſh to do juſtice to thoſe who mean to buy into the public funds. They were deeply intereſted with regard to the continuance of the Income Tax after peace. If it was continued, five millions annually would be applied as a ſinking fund, and of courſe the value of ſtocks would be greatly increaſed, and men would have juſt ground of complaint if they bought in upon that hope and were afterwards diſappointed. But if it was ſolemnly declared that the tax would ceaſe with the war, they would know what they had to expect, and if they acted imprudently, they could blame none but themſelves. He would, perhaps, be likewiſe aſked, why he wiſhed to get rid of the tax, when the Houſe had declared no opinion againſt it, but had agreed to a Bill for its regulation? He was always a determined enemy to the principle of the meaſure, which he thought unjuſt and impolitic. He did not diſapprove of raiſing the ſupplies within the year, but that could not be done in this mode, he was convinced, and would prove, that the practice was ruinous. The circumſtances of the Seſſion had ſhewn that this was not now the tax which the Chancellor of the Exchequer had repreſented it to be when he developed his ſolid ſyſtem of finance; and he felt it his ſacred duty to point out its nature and its tendency, and to uſe his utmoſt endeavours to prevent it from being perpetuated. In 1797, the right hon. Gentleman thought fit to abandon the old ſyſtem of borrowing and funding, and propoſed every year to raiſe enough to redeem the ſurplus of what had been borrowed the preceding above what had been raiſed. For this purpoſe he impoſed the aſſeſſed taxes, which he expected to produce eight millions. With the voluntary contributions they ſcarcely produced five, and the plan completely failed. The next year the right hon. Gentleman changed the criterion of the ability to contribute, and impoſed a tax upon Income, the amount of which he thought himſelf warranted to take at ten millions. He felt that, if it ſhould produce leſs, the ſyſtem would be ineffectual, and its advantages by no means counterbalance the vexation and inconvenience it would occaſion. It was not from memory that he aſſerted that; for laſt Seſſion, when he contended that the amount of the Income Tax would not exceed ſeven millions and a half, the right hon. Gentleman placed a reſolution on the Journals, in which it is ſtated that the tax would produce ten millions at the leaſt, and that it would not be attended with advantage if it did not. It appeared from the returns that had lately been laid upon the table, that only

5,600,000l.

5,600,000l. had been paid, and that about 150,000l. or 200,000l. had been aſſeſſed, and though appealed would probably be contributed. So much was ſet down for voluntary contributions, but that trifling ſum might be added to any other tax as well as that upon income. The amount, then, had been 5,800,000l. inſtead of 10,000,000l. the ſum which the Chancellor of the Exchequer had declared in July laſt to be neceſſary to the giving effect to the ſyſtem. It was eſtimated for this year at 7,000,000l. and, ſuppoſing the eſtimate juſt, what a falling off would there be from the ſum ſtated to be indiſpenſably neceſſary. It was expected that, when this ſolid ſyſtem of finance was eſtabliſhed, no new debt would be incurred; yet for the laſt three years only the redemption of one-third of the money borrowed had been provided for: the remaining two-thirds had been put off to a future day; and the only benefit ariſing from the ſyſtem was, to enable the Miniſter to raiſe what money he choſe without exciting an outery by impoſing new taxes.

Here the hon. Gentleman entered into a long calculation, to ſhew that the produce of the income tax applicable to the public ſervice could not exceed 6,000,000l. annually. Laſt year it had produced only 5,800,000l.; and, though the Chancellor of the Exchequer had eſtimated it at 7,000,000l. for the preſent year, no new regulation had been adopted to render it more productive, as the abominable Bill which had been reckoned upon had been abandoned, and the ſum produced by making ſtrangers contribute would be more than counterbalanced by exempting land-owners from paying for the farms they hold in their own hand, except when the ſpeculation is profitable. The expence of collecting the tax, he ſaid, amounted to 160,000l. at 6d. in the pound ſterling. It would not, like other taxes, encreaſe, but would rather diminiſh, as capital was daily leſſened, and men would become leſs able to contribute. But theſe ſix millions were likewiſe deeply mortgaged, and the available money remaining to the public, did not exceed 1,793,000l. Did any one believe, that if Gentlemen had foreſeen that this would have been the reſult of the ſyſtem, they would have ſanctioned it with their vote? Was he not borne out in ſaying that it had completely failed, and that it ought to be abandoned? He would now conſider the probable duration of the tax, eſtimating its produce at ten millions, and ſuppoſing that peace would be concluded in the year 1801. The Chancellor of the Exchequer had calculated that it would terminate in 1805. He ſaid he was determined that

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it ſhould ceaſe then, and that he would rather raiſe the proportion of contribution than allow it to continue above four or five years. Mr. Tierney ſaid, bad as it was, it would be ſome conſolation to reflect that it would only be temporary; but unfortunately no ſuch proſpect exiſted to alleviate its grievances, as the promiſes of the right hon. Gentleman were falſe, and of courſe his concluſion had been erroneous. Suppoſing the produce of the tax to be 6,000,000l. peace to arrive on the 5th of April, 1801, and the price of the three per cents. after peace to be 85, the 56 millions of ſtock, for which the tax is mortgaged, would not be redeemed till 1811, ſo that for ten long years we muſt inceſſantly bend beneath its preſſure. Suppoſing that the tax will produce 7,000,000l. according to the calculation of the right hon. Gentleman, ſtill it would not terminate till September 1808. Yet when he brought it forward he declared it to be temporary; a vigorous ſtruggle for our rights and liberties, which would ſoon be over. The ſpeech from his Majeſty, which gave riſe to it, recommended ſtrongly that no permanent burthen ſhould be laid upon his faithful Commons, and all had believed that its duration would be very inconſiderable. However, it was to be permanent unleſs the Legiſlature interfered; he had ſurely a right to call that permanent which might laſt as long as his life, and which would certainly outlive many who then heard him. For every year that the war is continued the income tax muſt be continued three. The Houſe would then conſider of the expediency of perſevering in a ſyſtem ſo weak, futile, and ruinous, as he had proved it to be. He could not ſuppoſe that the right hon. Gentleman himſelf would wiſh to perſiſt in a tax, to regulate the collection of which he had found himſelf unable. Why did he bring in that odious bill which had juſtly excited ſuch indignation and abhorrence, but becauſe that from all the information he had acquired from collectors and commiſſioners, he was convinced that the tax would not be raiſed without the regulations which it contained? Yet the bill, and all its regulations, he had been obliged to abandon, and he had thus openly confeſſed himſelf unable to carry through the meaſures neceſſary to make his ſyſtem effectual. Would he not then incur the charge of obſtinacy, and a childiſh prejudice in favour of his own plans, if he ſhould longer perſiſt in it? Indeed he did not believe that it was a plan of the right hon. Gentleman; it was a baſtard ſyſtem from the Manſion-houſe, ſolely calculated to raiſe the funds, and to promote the intereſt of monied men. No

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wonder it was ſo popular in the city, but certainly it ought to be deteſted by the landed intereſt, and by every other claſs in the community, ſtock-holders excepted. After a peace ſeveral millions were to be annually employed in redeeming the national debt. If too much money was applied to that purpoſe the work was retarded, for the funds were extravagantly raiſed, and little progreſs was made. When the three per cent. conſols were above 60, it was the intereſt of the nation at large to depreſs them, and this application of ſix millions to encreaſe their value was enriching one claſs of the community at the expence of every other. It ſhould likewiſe be conſidered that many foreigners had bought to a large amount into our funds, when they were low, and that it would be highly inexpedient to enable them to buy out with ſuch advantage at the end of the war, the very time their capital may be employed in plans to ruin our manufactures and commerce. After what had happened, would it be ſaid that the Chancellor of the Exchequer was entitled to the confidence of the people? He had greatly abuſed their confidence. He had deluded and miſled them. He believed that he had brilliant talents; that he was an eloquent ſpeaker, an able ſtateſman, and an excellent financier; but if he had no other claim to fame and applauſe than this boaſted ſyſtem of finance, he would rank with the loweſt of mankind. It was ſaid that the other taxes continued to flouriſh; but when this tax became permanent that would not long be the caſe, for it was a direct tax upon capital. The hon. Gentleman here made an ingenious calculation, ſhewing the unequal manner in which perſons are affected, according to the manner in which they veſt their money, and that the capital of thoſe is taxed who buy out of the three per cents. into the ſhort annuities, as well as of ſeveral other claſſes. Income, he ſaid, was an unjuſt criterion of property. Thoſe whoſe income aroſe from land, from induſtry, from annuities, from trade, and from huſbandry, were all able to contribute to the exigencies of the ſtate in a different proportion. Such unjuſt taxation was intolerable, and if it continued ten years longer the country would not be fit to live in. The ſyſtem was ruinous to the conſtitution, and could only be executed by keeping in pay a ſet of ſpies and informers, who were ſelected, no doubt, from their known character, and would be rewarded according to their induſtry. To execute their office they muſt pry into a man's private affairs, try to gain his confidence in order to betray him, and bribe his ſervants and his clerks. It was impoſſible

poſſible for them to do their duty to their employers without diſgracing themſelves. [*The Attorney General was here obſerved to laugh.*] Did the learned Gentleman think it would be a meritorious action to give falſe information, or to ruin an innocent family? Did he doubt that theſe ſpies would not often be guilty of ſuch enormities? This country would ſoon be an unfit abode for honeſt men, and only fit for placemen, who would have an opportunity to fatten on its ſpoils. Theſe ſurveyors and inſpectors would know whom to attack, and though they ſhould find ſuch a one as the hon and learned Gentleman tripping, which might poſſibly be the caſe, they would take good care not to expoſe him, for the beſt reaſon in the world, becauſe the loſs of their offices would be the conſequence of their temerity. The employment of a commiſſioner would ſoon become ſo unpleaſant, that no man of character and reſpectability would ſtoop to exerciſe it. Then the greateſt vexations and extortions would be practiſed, and ſocial intercourſe, which was now very much impaired, would be compleiely annihilated.

Is it not certain, ſaid the hon. Gentleman, that the preſent high prices of every article are in a great meaſure owing to the operation of the income tax? He ſaid it was to be clearly ſhewn in almoſt every thing; he would take, however, the article of wine, which had an encreaſe of 20l. a pipe, and the conſequence was, that where at the beginning of the war you could buy a pipe of wine for 40 or 50l. you muſt now pay 80l. This was a very heavy burden, falling upon gentlemen of moderate fortunes in particular, which muſt, if continued for ten years longer, render it impoſſible for them to uſe that beverage to which they had been uſed from their infancy. It was alſo a very great diſadvantage to the wine merchant, who was of courſe obliged to employ a much larger capital in his trade, and muſt preſs with a very heavy weight indeed on ſuch as could not command an extenſion of their capital. In fact, it appeared very clear to him that the higheſt ranks of gentlemen of fortune would be under the neceſſity of curtailing their annual expenditure, and he conjured the Houſe to be cautious how they continued a meaſure which ſhould be attended with ſuch oppreſſive effects. As to the gentlemen of moderate fortunes, they muſt feel it in a very great degree. He therefore begged gentlemen to well weigh in their minds how this tax prevented them not only from a continuance of thoſe comforts in life which they had hitherto been uſed to enjoy, but alſo deprived them of the

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power of doing juſtice to the education of a ſon. Thoſe gentlemen who had families well knew how expenſive this article already was, and when perſons of middling or moderate fortunes hereafter found themſelves under the neceſſity of curtailing their yearly expences, it would be impoſſible for them to give their ſon or ſons as good an education as they had themſelves received. He then adverted to the gentlemen of the army and navy, many of whom had long been dedicating their lives to the ſervice and fighting the battles of the country, and ſaid he thought it would be ſcarcely honourable to take from them a tenth of the little income that would be allotted to them after a peace took place. At the beginning of the preſent war, he ſaid, an eſtate of 700l a year was more than equal to one of 1000l. a year at preſent. This tax alſo ſtruck at the moſt eſſential intereſts of religion—clergymen of 400l. a year had formerly lived moſt reſpectably in the country, and acted as magiſtrates; but with this oppreſſive tax, added to the encreaſed expences of their families, they would not long be able to do ſo. The magiſtracy would alſo be greatly injured by it, for many gentlemen of moderate fortune were driven from the houſes they had formerly inhabited in the country, and obliged to go into towns to live. The middling gentry, he inſiſted, would in the courſe of five years be likely to be ground down by this tax—they would, he feared, be nearly extinguiſhed; and thoſe, he aſſerted, were the moſt valuable claſs of ſubjects in the country; they were that claſs which were moſt beneficial to, and the greateſt ſupports of, the conſtitution; they were ſomething too high to give way to vulgar prejudices, and too low not to have a fellow-feeling for the rights and intereſts of the great maſs of the people. In fact, they were ſomething which conſtituted the moſt valuable and conſtitutional medium between the King and the people. From every view he had been able to take of the ſubject, he was confident, he ſaid, that the public cannot exiſt under the preſſure of the tax for ten years. He therefore aſked, with great humility, that the right hon. Gentleman will permit the people to repair, by great œconomy, after a peace, the ravages made in their fortunes during the continuance of the war; ravages which till then they had chearfully ſubmitted to, but which at that period ought certainly to ceaſe, as it was expreſsly ſtated on its firſt introduction to be only a war tax. For the various reaſons, therefore, which he had delivered to the Houſe, he would beg leave to move, "That leave be given to bring in a Bill to limit the duration of the Income tax."

The *Chancellor of the Exchequer* ſaid, that one radical error prevailed throughout the whole of the hon. Gentleman's ſpeech. He aſſumed that the tax on income was a voluntary tax, and that it had been adopted by the Houſe without any neceſſity. It would be abſurd and idle to ſuppoſe that this country could have ſupported her ſhare in the preſent juſt and arduous conteſt without making ſacrifices that muſt be felt by all deſcriptions of people; it would be idle to imagine that the ſhare which this country had in a trial that had no leſs for its object than the deliverance of the civilized world from one of the greateſt evils it was ever threatened with, could be light and trifling; and it would be equally idle to ſuppoſe that we could ſtruggle againſt difficulties in which all the powers of Europe beheld us with anxiety and attention, without making ſome extraordinary exertions. How far the preſent ſyſtem of finance went to promote this great object, and forward theſe exertions, he ſhould ſhew preſently. The hon. Gentleman avoided making any compariſon between the ſtate of things under the preſent ſyſtem, and that which muſt take place if his motion was adopted. Inſtead of this he endeavoured in the latter part of his ſpeech, to excite the feelings of the Houſe in favour of one valuable claſs of men, who, he ſaid, muſt be ruined in conſequence of the Income Tax. The hon. Gentleman had uſed the ſame obſervations, with the ſame degree of vehemence, at the time the bill for taxing income had been firſt introduced. At that time the Houſe was told that it would be impoſſible to raiſe ſo large a ſum in the courſe of the year without injuring the revenue; diminiſhing the capital, and endangering the commerce of the country. The experience, however, of three years proved directly the contrary. Commerce and revenue had ſince that period increaſed to a conſiderable extent. The hon. Gentleman, therefore, when he repeated his aſſertions on the preſent occaſion ought to have produced in ſupport of them arguments different from thoſe he had formerly uſed. For his part, he had heard of no practical inconvenience ariſing from the adoption of the preſent ſyſtem, to induce him to alter the deciſion which that Houſe had made upon the ſubject. The arguments uſed by the hon. Gentleman with regard to the different ſpecies of property, and the difference between the value of one kind of income and another, had been all urged before, and been fully anſwered. He would only obſerve, that if a man choſe to convert his property into an annuity, he did ſo with his eyes open, and therefore muſt

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abide the conſequences. He denied that the taxes on various articles produced the effects deſcribed by the hon. Gentleman. He wiſhed to know what ſyſtem was intended to be applied in caſe the preſent ſhould be abandoned? Certainly in that caſe the old ſyſtem of borrowing and funding ſhould be reſorted to. It was neceſſary to ſhew that a ſecure and honorable peace could be more effectually brought about by abandoning thoſe means which enabled the country at preſent to proſecute the war with vigour, before the Houſe could be perſuaded that it was proper to do away the Tax on Income; but if this ſhould take place, the old ſyſtem of finance would then be reſorted to. He ſhould prove to the Houſe that the effect of perſevering in this ſyſtem would be that of producing a greater amount of taxation, and that it would bear more heavily than the preſent ſyſtem on that valuable claſs of country gentlemen who were ſo much the object of the hon. Gentleman's compaſſionate attention. Nothing was more obvious than that an additional tax on conſumption would bear harder on thoſe perſons than any other tax; this order of men would therefore bear an increaſed proportion of an increaſed amount of a permanent tax. It was ſtated that the preſent ſyſtem had completely failed becauſe it had not produced the whole amount of what he had calculated. He was ready to admit, that inſtead of ten millions the tax had produced only between ſix and ſeven. It was no extraordinary effort of candour in him to make this acknowledgment, nor any extraordinary inſtance of ſagacity in the hon. Gentleman to have diſcovered the fact. But in making his objection to the Income Tax, on account of its deficiency, the hon. Gentleman forgot that the Convoy Tax had made up the deficiency of the Aſſeſſed Taxes; and that the permanent taxes had increaſed during the laſt three years ſo much above their amount in former years, as to make up in a conſiderable degree for the deficiency of the Income Tax. This increaſe amounted to the ſum of one million and a half annually. It was ſaid, that in order to be efficacious, it was neceſſary the Income Tax ſhould yield ten millions; and that becauſe the amount was not quite ſeven millions, the whole of this ſum ſhould be ſpurned at and rejected, in order to go back to a ſyſtem that the experience of many years had ſhewn to be bad and imperfect. If it had required years before thoſe taxes that had been laid on articles of conſumption had riſen to their eſtimated amount, it was rather ſingular to argue, that becauſe a tax did not produce this eſtimate the firſt or ſecond

year, that it never would do ſo. It was hard to aſſume that any tax had riſen to its ultimatum before even the means of collecting and rendering it productive were clearly underſtood. The circumſtance of the Income Tax falling ſhort of its eſtimated amount, was not a ſufficient ground to judge of its final amount. As to the principle of the tax itſelf, there was no ſtronger proof of its excellence than that of its furniſhing ſuch reſources for carrying on the war, that all the countries on the Continent of Europe were now looking up to Great Britain as the inſtrument of their deliverance and protection. But if the country had gone on in the old mode of funding, he would aſk whether it was poſſible to raiſe a loan on any terms except what muſt be extremely diſadvantageous? he could not expect to have the ſtocks higher than 45 in making a loan; whereas, in conſequence of the riſe which it was acknowledged the preſent financial ſyſtem had cauſed in the funds, the public muſt gain in a loan contracted for now, no leſs than 33 or 34 per cent. with reſpect to capital, and about 9 per cent. in the rate of intereſt. Thus had the plan, which, it was predicted, would ruin the commerce, capital, and finances of the country, raiſed the funds in the 7th year of the war to a price near 20 per cent. beyond what they had been before this ſyſtem was adopted. He would next call the attention of the Houſe to the charge with which the public would be burthened at this moment, if the ſyſtem now acted upon had not taken place. The total amount of the ſums that muſt have been raiſed by loans within the time when this ſyſtem had taken place, would be from ſixty to ſeventy millions. The permanent taxes that muſt have been raiſed to pay the intereſt of theſe loans, would have amounted to 6,160,000l. ſo that the plan which the hon. Gentleman ſtated ſo confidently to be inefficacious, a plan which was only temporary, had ſaved a perpetual taxation of 6,000,000l. and upwards. It was however, but candid to ſtate, that in theſe three years there were ſums raiſed by loans to pay the intereſt of which the ſum of 1,200,000l. were raiſed by permanent taxes, ſo that the ſaving of permanent taxes cauſed by the temporary tax on income was 4,900,000l. Then he would aſk which of thoſe two kinds of taxes were likely to bear hardeſt on the gentry of this country, one that was to raiſe perpetually the price of all articles of conſumption, or that which only took away one-tenth of people's income for a ſhort period? Suppoſe theſe permanent taxes were to continue for the ſpace of forty years, they

they would at that period produce an increased burthen beyond what muſt be produced by the preſent ſyſtem, amounting to the ſum of 125 millions. Yet this funding ſyſtem, ſo diſadvantageous and ruinous, was that which the prejudices of men had always favoured, becauſe it bore light on them for the moment; and to this was owing the laſt accumulation and debt with which the country was ſo long burthened, and for the liquidation of which no proviſion had been made by our anceſtors. If beſides the effects he had ſtated, Gentlemen would ſee how far this ſyſtem had ſucceeded in relieving public credit, by raiſing the funds—what ſaving it had already produced in the loans that were made—he would leave it to the Houſe to judge whether there was any reaſon to regret its adoption. But the hon. Gentleman had objected to the tax, that in raiſing the funds it had thrown an advantage and benefit into the hands of the monied men at the expence of the landed intereſt, and that it gave the former claſs an undue advantage over thoſe of the latter deſcription: to this he would anſwer by and by; but the hon. Gentleman had alſo declared, that he would vote for the continuance of the tax during the war. If the hon. Gentleman felt that it would be right to continue the tax during that period, what policy was there in attempting to render it precarious, and make uncertain a meaſure which had already produced ſuch great benefits to the country, which had fruſtrated the hopes of our enemies, who looked forward with anxious expectation to the ruin of our finances, but which the ſucceſs of this meaſure had almoſt perſuaded them were inexhauſtible. Nor had it had leſs effect upon our allies; for by them we were looked to as the prop, the ſafety, and the defenders of Europe. Why would the hon. Gentleman ſolicit them to abandon a meaſure which had produced all theſe benefits? Before he quitted this point he muſt advert to ſome circumſtances which were materially connected with this part of the queſtion. He had already ſtated to the Houſe, the advantages which had reſulted in making the loans from the operation of this new ſyſtem. The Houſe muſt be aware that when perſons contracted for the loan it was not confided on the mere price of ſtocks for the day, but alſo on a conſideration of the price they would probably bear on a future day; and tho' nothing had paſſed which had any thing of a pledge to the contractors that Parliament would continue the Income Tax, yet without doubt it influenced them in their bargain. They unqueſtionably had contracted under an idea that Parliament would

would adhere to a ſyſtem which they had adopted after great deliberation and mature inveſtigation. And though the Houſe was not bound to purſue a plan which had raiſed the ſtocks, yet it would not be without its weight in their mind —they would not turn round and ſay to the contractors "we raiſed the ſtocks to make our loan, and now we will purſue a conduct that ſhall depreciate them, when we want to pay them off." Such conduct would very ill become the generous character of a Britiſh Parliament. Hereafter, when the deſirable period of peace ſhould arrive, it might be fit and proper to conſider that queſtion. There was alſo another conſideration which had alſo its effect in producing the increaſe of public credit. My ſyſtem firſt propoſed was, to raiſe the ſupplies, or at leaſt a great part of them, within the year; afterwards it was limited to ſuch part as the ſinking fund would pay off in the ſame period of time. This had the operation of a great ſinking fund, in raiſing the funds; and to this muſt be added, that ſeventeen millions and a half was expunged from the three per cents. by the ſale and redemption of the Land Tax; ſo that by the joint operation of theſe meaſures, the ſtocks had been raiſed between 30 and 40 per cent. But, ſaid the hon. Gentleman, though it is true that you raiſe the funds when you borrow, yet they are alſo raiſed when you pay them off; ſo that nothing was gained. But the fact was not ſo. Although it was true they would be raiſed when paid off, yet it was not in near the ſame proportion that they were borrowed at; for admitting that the riſe ſhould be 10 per cent. equally in both caſes, yet 10 per cent. from 60 to 70 was not the ſame proportion as 10 per cent. from 50 to 60. And the difference between the preſent mode and the old ſyſtem would be double, and even treble in favour of the former. For ſuppoſing it to have been borrowed at 50, under the old plan of funding, the debt ſo created would have been laſt diſcharged, and moſt probably at par; ſo that it would have been at a loſs of 100 per cent. to the public. Thus though the meaſure had been favourable to public credit, it had not been ſo much ſo to many ſpeculators. And here he muſt notice that the hon. Gentleman had reverted to a diſtinction which he had frequently done before, and which he ſeemed fond of doing; he meant to the practice of conſidering the monied and the landed as diſtinct intereſts. He had argued that the advantages of the riſe in ſtocks was an advantage to the monied men only. Who were the monied men deriving advantage from the meaſure? Four hundred thouſand perſons who

who held ſhares in the public funds. The hon. Gentleman coupled this with a charge which he believed had never been made againſt any former Chancellor of the Exchequer, namely, that after a ſeven years war, he was convicted of having raiſed the price of the funds, thereby advantaging not only money-lenders, but all the whole body of ſtockholders. Theſe were directly benefited; but indirectly, could the hon. Gentleman point out any man who did not receive indirect advantage from that effect? The merchant, the manufacturer, the landed gentleman, all had their ſhare in this. Every thing which lowered the intereſt of money was advantageous. The landed gentleman raiſed money at 4 inſtead of 5 per cent. and the trader with greater facility found accommodation in his neceſſities.

Under the influence of theſe circumſtances he ſhould contend that the principle had, from experience and the teſt of facts, been found to anſwer its intended purpoſe, though not carried to its wiſhed for extent. Then as to the leſſer details. The hon. Gentleman had founded an objection on the proportion of ſtocks poſſeſſed by foreigners. He did not know how much that might be, whether a 20th, a 30th, or a 40th; but what they gained they ſhared with ourſelves, and ſurely a beneficial meaſure ought not to be neglected becauſe they alſo derive ſome benefit in common with ourſelves. Next, as to the means of carrying the act into execution, much had been ſaid reſpecting an act preſented to the Houſe, but now withdrawn. As to that act, he ſhould only ſay, that the plans were ſuggeſted by men of experience in buſineſs, and he thought it his duty to ſubmit it to the conſideration of the Houſe. Afterwards objections were ſtated of which he was not at firſt aware, and he thought it better to reſt content with the preſent produce of the bill than perſevere in preſſing regulations which he found were obnoxious, and would alſo be attended with conſiderable inconvenience. Theſe were the motives of his conduct on that occaſion, and he ſhould never be aſhamed to relinquiſh any meaſure which he found militated againſt the ſenſe of the Houſe. But when in another part the hon. Gentleman talked in a manner that was indeed perſonal to an hon. and learned Friend near him, when he branded the officers of the revenue as ſpies and informers, and treated them as acting from a ſordid and perſonal intereſt, when he ſtated that no honeſt man would live in the country, he muſt be conſidered as ſpeaking the language of idle declamation. What was meant by a ſpy? It was generally underſtood

derſtood to be a man who diſguiſed his character to get a knowledge of the ſecrets of another. It was therefore an odd way of beginning the trade by having the character proclaimed by act of Parliament. Another way of taking the character was, by watching the infirmities of human nature, and catching at a man's words in the moments of hilarity and thoughtleſſneſs. But if a man appeared in his legal character in the proſecution of his public duty, ſurely he deſerved a leſs harſh term. The hon. Gentleman could never intend to brand the legal duties with obloquy. Yet ſuch was the conſequence of theſe expreſſions; and if epithets of that ſort are allowed to tell for any thing, there was an end not only of revenue but of criminal juſtice itſelf. He knew alſo that the hard name of informer, had been applied on late criminal proſecutions, but he thought that every man was bound by his oath of allegiance to inform, if he knew of any crime againſt the ſtate; ſo every man was bound in honour and conſcience to prevent frauds againſt the revenue; and it was a falſe notion of liberality, which induced any man to conceal either a fraud or a crime. When the hon. Gentleman alluded to the few ſurveyors and inſpectors to be employed under this bill, it ought to have ſuggeſted to him an argument in favour of it, as it ſhewed what few additional officers were required to collect ſo large a ſum, and what a ſmall defalcation there would be for the charge of collecting. Upon all theſe grounds, therefore, he muſt oppoſe the motion.

Mr. *W. Smith* contended that the arguments that had been urged againſt this meaſure had never been refuted, however they might have been argued. The objection of its extreme inequality ſtill ſtood in its full force, and it never could be made juſtifiable to lay an equal tax upon an income worth only three years purchaſe as on that which was worth thirty. In his opinion it might be better adjuſted to the means of thoſe who were to pay it than it now was, and that without making its collection more difficult or embarraſſing. He by no means intended to blame the right hon. Gentleman for giving way to the voice and repreſentations of the public as far as he had done; he only found fault with him for having ever given his ſanction to a meaſure which was originally ſo odious and deteſtable. Indeed it was felt to be ſo bad, even by thoſe who ſupported it, that not one of them could prevail on himſelf to give it a good word, and all they could ſay was, that it ſhould not be rejected becauſe it was poſſible to amend it in a Committee. Of the forty-two clauſes

clauſes which originally compoſed the Bill, only twelve remained in the preſent bill. Mr. Smith was then proceeding to animadvert on the clauſes of the original Bill, when he was called to order by

The *Chancellor of the Exchequer*, who obſerved that the arguments which the hon. Gentleman was urging, did not affect the merits of the preſent bill, but applied to one that had been withdrawn. Whenever the objectionable clauſes contained in that Bill were again offered to the Houſe then would be the time for the hon. Gentleman to ſtate theſe objections.

The *Speaker* declared he was perfectly ſenſible of the ſlender and remote connexion which the arguments of the hon. Gentleman had with the queſtion now under conſideration; but he was unwilling to interrupt him while the Houſe ſeemed diſpoſed to be indulgent, and eſpecially while he perceived that the hon. Gentleman was endeavouring to bring his obſervations to bear upon the buſineſs before them. He muſt, however, appeal to the hon. Gentleman himſelf, if he really thought he could be indulged in the large view, and the minute particulars in which he had begun to expatiate, while he muſt be aware that the time and patience of the Houſe muſt be encroached on by thus dwelling on points ſo little connected with that under diſcuſſion.

Mr. *Smith* thought the arguments he had adduced were ſtrongly connected with the queſtion, but he could not oppoſe his opinion to the reſpectable and formidable authorities who thought otherwiſe. He muſt, however, contend that his hon. Friend was perfectly right in his application of the terms ſpies and informers, and that no man of honour or honeſty would ſtoop to practiſe the means by which the vexatious inquiries of the collectors could be avoided. This might be ſaid to be harſh language, but it did not apply to the individuals, but to the character which they aſſumed, and to the means they employed to diſcover the amount of their neighbour's property, and of the ſtatement he had delivered in. The mode of collection, and the inequality of its operation, were therefore two objections to the meaſure which had not been removed. It was beſides with ſtates as with individuals; the facility with which they raiſed money was a temptation with them to expend it as eaſily, or perhaps to ſquander it away with prodigality. There was alſo an abuſe of its original application; for the Income Tax, which was originally to be applied only to the ſervices of the current

year, was now to be made a fund for paying the intereſt of money that was borrowed. Theſe and many other were the grounds which juſtified him in ſupporting the motion of his hon. Friend.

Sir *R. Williams* ſaid, that he had hitherto ſupported Miniſters in the proſecution of the war, and was ready to grant them every means of proſecuting it with vigour and effect; but as they ſeemed determined to extend the Income Tax beyond the duration of the war, and make it a permanent tax, this was more than he thought himſelf warranted in agreeing to; as far as it regarded the war he would ſupport it, but no farther.

Mr. *Buxton* ſaid, that the inequality, of which the hon. Gentleman (Mr. Smith) complained, was inſeparable from every ſyſtem of taxation which it was poſſible for the human mind to deviſe. In the beginning of the war, he had propoſed a tax upon property; but that was alſo found liable to great difficulties and embarraſſments. He was now a friend to the Tax upon Income, becauſe, in his opinion, it came neareſt to a tax upon property; neither was it liable to the objections that were urged againſt his original idea of a tax upon property, for it affected the produce of property, not property itſelf; and it moreover falls on thoſe who are beſt able to pay it; on that account more particularly, it ſhould continue to have his ſupport. He was one of thoſe who were called the landed gentlemen, and he was ready to give up a tenth of his income, not for ten, but for twenty years, nay for ever; if the remainder of his property was ſecured from the inroad of French pikes and French principles. Nor was the tax to be perpetual; but only to continue till the intereſt on the ſums raiſed for the proſecution of the war ſhould be paid off.

Colonel *Ellford* oppoſed the motion.

Mr. *Manning* ſaid, that he conceived the object of the hon. Gentleman's motion to be to ſhorten the duration of the Bill, but not to embarraſs the public ſervice: if that could be done, he would agree with him, but not, however, till he pointed out ſome other means of liquidating the ſums that had been raiſed on the credit of this tax. He muſt likewiſe thank the hon. Gentleman for having, by his preſent motion, given an opportunity to the Chancellor of the Exchequer of explaining, not only to conviction, but to perfect ſatisfaction, the nature and ſtate of the reſources of the country, which enabled him to proſecute the war with ſuch vigour, and the favourable terms

terms upon which theſe means had been procured. Mr. Manning concluded by vindicating the commercial intereſt from the imputation of having attempted to evade the tax, and ſhewed that out of the ſum of 1,250,000l. that was paid into the commercial commiſſioners, 866,000l. had been paid by the merchants of London.

Mr. *Tierney* in reply ſaid, that ſince he was called upon for a ſubſtitute for the preſent tax, (though he did not think himſelf bound to propoſe any), he was willing to ſuggeſt one that might be equally productive without being liable to the ſame objections. The ſum to be raiſed by the income-tax was not, it ſeems, expected to amount to more than ſomewhat leſs than ſeven millions. This he would propoſe to raiſe by rendering the convoy-tax perpetual, and by renewing the aſſeſſed taxes to a certain proportion. The former would be found moderate and not inconvenient; the latter would fall on that claſs of the community who were beſt able to bear it. As to raiſing a part of the ſupplies within the year, he never had objected to it: his objections only militated againſt the particular mode in which it was attempted to raiſe them. Inſtead of ten million. at which it had been calculated, it now appeared that only 6,800,000l. was to be got by the tax; was that a compenſation for mortgaging a tax upon income for no leſs than 13 millions and a half? As to what the right hon. Gentleman ſaid reſpecting the operation of the land-tax, and the riſe of the funds, theſe were matters which had not the leaſt connection with the operation of the income-tax. He would ſtill contend alſo that it had the effect of raiſing the price of all articles of conſumption, and that in this view alſo it preſſed harder on the landed intereſt, but ſtill more ſeverely on perſons of a limited income. For was it not hard to take away a tenth of a man's income, after nine-tenths of it were already ſo heavily burthened? He was happy to ſee the funds riſe when they roſe from a natural influx of wealth; but he could not approve of a riſe that was occaſioned by artificial and arbitrary means. Such a riſe would benefit only one claſs of men; and was it not a cruel impoſition on the people of England, to make them put money in the pockets of one deſcription of perſons, and that by means in which they themſelves had no intereſt?

Mr. Tierney concluded by juſtifying the uſe he had made of the terms *ſpies* and *informers*, and contended that a premium was held out to ſuch perſons by the very bill which he was anxious to have repealed.

The *Chancellor of the Exchequer* explained, and ſaid, that he was ſuppoſed to have aſſerted, that when the income-tax was no longer wanted for the purpoſes to which it was now intended to be applied, it ſhould ſtill, however, be retained, as a ſubſtitute for future taxes. This he had never poſitively aſſerted, but only threw it out as a conjecture, of how proper it might be to continue a very ſmall proportion of it, in lieu of ſome trifling, perſonal, and vexatious taxes, which it might be expedient to repeal.

The Chancellor of the Exchequer and Mr. Tierney then entered into a variety of explanations, after which the Houſe divided on Mr. Tierney's motion,

Ayes - -	24	*Noes* - -	114
Majority againſt the motion			90

The other orders of the day were then diſpoſed of, and the Houſe adjourned.

HOUSE OF LORDS.

FRIDAY, JUNE 6.

Mr. Plumer and Mr. Jackſon, of counſel for the petition of the corporation of the city of London, againſt the Wapping Wet Dock Bill, were heard in the Committee on behalf of the ſaid petition, and Mr. Adam in ſupport of the bill. As ſoon as counſel had finiſhed, the Houſe, in a Committee, proceeded with the bill, clauſe by clauſe. The Earl of Liverpool took the conduct of the bill, and ſpoke ſhortly on its utility. The Duke of Norfolk and other Peers urged a few objections, which were leſſened or removed by the arguments of the Earl of Liverpool and the Lord Chancellor. The Committee went through the bill; and as ſoon as the Houſe was reſumed, the report was made by Lord Walſingham (the chairman of the Committee), and the bill was ordered to be read a third time on Tueſday next.

The bills on the table went through a ſtage each.

A great number of bills were brought up from the Commons, and preſented by Mr. Bragge, Colonel Stanley, Mr. Laſcelles, Sir Gilbert Heathcote, and others.

Two petitions againſt the Glaſgow Police Bill, deſiring to be heard by counſel, were preſented.

BREACH OF PRIVILEGE.

The Earl of *Carliſle* roſe and ſaid he always felt great difficulty in riſing to addreſs their Lordſhips, but more peculiarly

liarly when what he was about to trouble the Houſe with, might in the firſt inſtance be thought principally to concern himſelf, but involving more immediately, in his judgment, the moſt important privileges, as well as the honour, and the dignity of that Houſe. Among the great landmarks of liberty which had been eſtabliſhed at the Revolution, one valuable one was the act of the Firſt of William and Mary, cap. 2. ſec. 2. which was conſidered as one of the greateſt ſecurities of the freedom of the people, in which it was expreſsly declared, "That the freedom of ſpeech and debates, and proceedings in Parliament, ought not to be impeached or queſtioned in any court or place out of Parliament." If he were to reſt what he meant to complain of there, his Lordſhip ſaid, he ſhould think he reſted on ſufficient authority, but he would go farther—

Lord *Grenville* interrupted the noble Earl to obſerve, that as the noble Lord was about to complain of a breach of privilege, it was always uſual, when complaints of that nature were diſcuſſed by their Lordſhips, to have the bar cleared, and that ſtrangers ſhould withdraw.

The *Lord Chancellor* inſtantly ordered the bar to be cleared, and the ſtrangers of courſe retired.

[Not having heard the remainder of the Earl of Carliſle's ſpeech, we cannot pretend to detail it; but the matter complained of was a repreſentation in a newſpaper on Monday laſt, of ſome pointed obſervations upon his Lordſhip's ſpeech in that Houſe, on the third reading of the Adultery Bill, ſtated to have been made from the Bench by a noble Lord who preſides in one of our Courts of Juſtice. The Earl, it is ſaid, on Thurſday imputed the ſtatement of theſe obſervations to the miſrepreſentation of the newſpaper, as he could not conceive that the noble Lord would have been ſo inattentive to the known privileges of Parliament, being himſelf a Member of that Houſe, as to have made any obſervations upon an argument given in the courſe of debate, while ſitting on the Bench of his own Court, in which, if any perſon had attempted to anſwer him, he would have been inſtantly handed to a tipſtaff; but that the noble Lord would have been preſent in his place, and in that Houſe made ſuch obſervations, either upon his ſpeech, or that of any other noble Lord, that might have occurred to him. The Earl, we underſtand, made ſeveral other ſtrong remarks, and concluded with deſiring that what he had ſaid might be conſidered as a notice of a motion which he intended to bring forward on the ſubject

ject next Tuesday. He accordingly moved, That the Lords be summoned on Tuesday. Ordered.]

TESTAMENTARY DEVISES.

On the second reading of the Bill to prevent the effects of posthumous avarice, by prohibiting the future accumulation of wealth uselessly, in a manner similar to that adopted in a late well-known will (Mr. Thelluſſon's),

The *Lord Chancellor* said, that since he had introduced the bill, he had taken pains to circulate it through the country, and collect the opinions of all ranks of professional men of known abilities upon the subject, all of whom had concurred with him in sentiment, excepting only two Gentlemen, both of them very eminent conveyancers. Those Gentlemen, however, had stated to him the grounds of their objections, which were founded on a principle of political economy, but by no means to his mind satisfactorily. On the contrary, when he came to examine them, his judgment, and that of others to whom he had made them known, were decisively against them His Lordship stated the grounds of the objections, the Gentlemen holding that the accumulation of a large fortune by vesting it in the funds, or putting it out to interest in any other manner, and letting it remain for a great number of years, till it had swelled to an enormous sum, would ultimately be more advantageous to the public than dividing it at an earlier period, and letting it get into circulation. His Lordship declared he held the converse of this proposition to be the truth, and that a fortune in circulation, even if spent in luxuries, waste, and dissipation, did more good to the public, and afforded more emulation to industry, and better encouragement to arts and manufactures, than any useless accumulation of money could do.

With regard, however, to any greater or less objections, of those Gentlemen whose opinions he had consulted, his Lordship said, he had committed them to writing, and compared them with the bill; and he found that by omitting some of the technical expressions in it, putting in more common words, and shortening the bill so as to reduce the whole to a single, plain, and simple proposition, which all who read it might easily understand every objection would be met. With that view, therefore, and as the Committee was the fittest place to make the alterations in, he moved that the bill be committed for Monday next. Ordered.

Adjourned to Monday.

HOUSE

HOUSE OF COMMONS.

FRIDAY, JUNE 6.

The right hon. *Henry Dundas* took the oaths and his ſeat for Edinburgh.

A meſſage from the Lords acquainted the Houſe that their Lordſhips had agreed to the Rogue and Vagabond Bill without amendment.

INDIA JUDICATURE.

Mr. Secretary *Dundas* roſe to make the motion with regard to India affairs, of which he had given notice on a former day. The change which had lately taken place, he ſaid, in the Company's poſſeſſions, called for a change of the manner in which they are governed. As the territory of Myſore, poſſeſſed by a reſtleſs and ambitious Prince, formerly lay betwixt the Malabar and Coromandel coaſts, it was then expedient and neceſſary to keep a large force ſtationed at Bombay, and to have a ſeparate government, to keep a vigilant eye upon the motions of our enemies in that quarter. Now circumſtances were materially altered, and it would be proper that the coaſts of Malabar and Coromandel ſhould be under the ſame government, and that the preſidencies of Bombay and Madras ſhould be conſolidated into one. One object of the bill, therefore, he ſhould have the honour to move for leave to bring in, was to eſtabliſh this beneficial ſyſtem. Another was to extend the judicial power of the Courts of Juſtice at Madras. The moſt beneficial conſequences had followed from the regulations which had been adopted in Calcutta; and it was evident that it would be highly conducive to the intereſts of juſtice, that the ſame ſyſtem ſhould be adopted all over India. There were ſeveral other clauſes, with regard to Police and other matters, which it would be unneceſſary for him then to enumerate. He ſhould, therefore, conclude with moving for leave to bring in a bill for the better regulation of the Britiſh territories in India, and for improving the adminiſtration of juſtice in that country. Leave granted to bring in the bill.

Mr. *Yorke* moved, That there be laid before the Houſe an account of the number of effective volunteer corps, cavalry, and infantry, now ſerving in Great Britain, with the terms on which they had engaged to ſerve. Ordered.

Mr. Secretary *Dundas* preſented an account of the offices, places, and penſions now enjoyed by Members of the Iriſh Houſe of Commons. Ordered to be printed.

The report of the Committee on the petition for incorporating

rating a Company of Millers and Bakers being brought up, read, and agreed to,

Lord *Hawkesbury* moved for leave to bring in a bill to incorporate a certain number of persons under the name of "The London Company for the manufacturing of meal, flour, and bread." Leave granted.

On the motion of Mr. *S. Thornton* the Bank buildings Bill was ordered to be re-committed to a Select Committee.

CROWN PROPERTY.

The *Attorney General* said, that doubts had arisen whether the property which his Majesty himself acquired by purchase or otherwise came under the provisions of the statute of Queen Anne, commonly called the Civil List Act; and whether her Majesty was in every respect to be considered as a *femme sole*. He therefore moved for leave to bring in a bill to regulate the disposition of certain real and personal property belonging to His present Majesty, or to his heirs and successors, and of certain real and personal property belonging to her present Majesty, or the Queen Consort for the time being; and that the House do on Wednesday next resolve itself into a Committee of the whole House, to consider the motion. Ordered.

Mr. *Long* moved, that there be laid before the House an account of the monies remaining in the Exchequer set apart for the public services, and which had not been called for since 1787; and an account of American and East Florida Orders remaining unsettled, distinguishing the amount of each year. Ordered.

The House having resolved itself into a Committee of the whole House, to consider the report of the Committee on Mr. M'Donald's petition,

Mr. *Sylvester Douglas* moved, that the Chairman be directed to move for leave to bring in a bill to extend the period fixed for the repayment o the money lent by Government to Alexander Houston and Co. and other mercantile houses trading to Grenada.

Mr. *Baker* said, that it was highly improper that a business of such importance should be discussed in so thin a House, and particularly in the absence of the Chancellor of the Exchequer. He gave no opinion on the merits of the motion, but merely for the present objected to the time when it was brought forward; that he might get rid of it in the least hostile manner, he should move that the Chairman do report progress, and ask leave to sit again.

Mr.

Mr. *W. Dundas* could see no objection to the buſineſs now going forward, as gentlemen would have an amply opportunity of canvaſſing the meaſure when the bill was brought in.

Mr. *Sheridan* ſaid, that the proper time to have objected to the proceeding would have been before the Houſe went into a Committee. To be ſure, it would have been proper for the Chancellor of the Exchequer to have been preſent when ſuch a queſtion was agitated; but if he did not chuſe to attend his duty in the Houſe, that was not ſufficient reaſon for buſineſs being delayed. He approved of the bill, as it would accommodate individuals and not injure the public.

After ſome further conſideration, Mr. Baker's motion was put and carried; the Houſe was reſumed; the Chairman reported progreſs; and the Committee was ordered to ſit again on Tueſday.

Mr. *Roſe* moved for leave to bring in the following bills: a bill to indemnify Bakers and others who had ſold bread to his Majeſty's forces, on a march, which had not been 24 hours, baked, and to empower them to do ſo in future—a bill to permit, for a time to be limitted, the uſe of ſugar in the manufacturing of ale—and a bill for extending the powers of the Commiſſioners of the Land-tax. Leave granted.

Mr. *Roſe* moved, that the Houſe do likewiſe reſolve itſelf into a Committee of the whole Houſe on Monday, to conſider ſo much of the 19th of George III. cap. 35, as exempts from duty all grants, conveyances, and aſſurances under the great ſeal of the Dutchy of Lancaſter; ſo much of the 10th and 11th of William III. as relates to the duties and drawbacks on kid-ſkins imported; and ſo much of 27th of Geo. III. cap. 13, as relates to the duties and drawbacks on the importation of foreign wine and ſpirits. Ordered.

Mr. *Bragge* brought up the report of the Committee appointed to eſtimate the expences of the allowance to be granted in time of peace to the ſubalterns and non-commiſſioned officers of the militia regiments. Ordered to lie on the table

Mr. *Roſe* having moved, that the order for the conſideration of the report of the Committee on the petition from the managers of the Soup Shops, be on Tueſday next; and Mr. Hudſon having moved as an amendment, that inſtead of Tueſday, there be inſerted this day three months, the Houſe divided, and there not being forty members preſent, the Houſe was adjourned to Monday.

LIST OF THE MINORITY,

ON MR. TIERNEY'S MOTION ON THURSDAY, JUNE 5.

Baring, Sir F.	Milner, Sir W.
Brogden, J.	Pulteney, Sir W.
Copley, Sir L.	Plumber, W.
Cooke, B.	Robſon, M. B.
Denniſon, W. J.	St. John, Hon. St. A.
Howard, H.	Shakeſpeare, A.
Huſſey, W.	Tufton, Hon. H.
Hobhouſe, B.	Taylor, M. A.
Jekyll, J.	Weſtern, C. C.
Jones, J. Tyrrwhitt	Walpole, Hon. G.
Knight, J. Payne	Winnington, Sir Ed.
Lambton, R. J.	Williams, Sir Robert

TELLERS.

Tierney, G.	Smith, W.

HOUSE OF LORDS.

MONDAY, JUNE 9.

The Teſtamentary Deviſe Reſtraining Bill went through a Committee.

The bills on the table were forwarded each a ſtage.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 9.

ASYLUM FOR THE CHILDREN OF SOLDIERS.

The *Secretary at War*, ſaid, that as it had been ſuggeſted to him that the regular proceeding would be to move in a Committee the reſolutions it was his attention to bring forward on the ſubject of an Aſylum for the Orphan Children of Soldiers, he ſhould move for a Committee accordingly. It was not meant to propoſe a vote for the whole ſum that would poſſibly be neceſſary for carrying the object of his motion into effect, but only to move a reſolution for a ſum adequate to the purpoſe of commencing the inſtitution, and of erecting the buildings which were to compoſe the eſtabliſhment. The inſtitution could not, however, be ſupported without public aid, and conſidering how ready the opulent always were to contribute, by liberal ſubſcriptions, to the comfort of the indigent, it was natural to ſuppoſe that an inſtitution ſo connected with the genuine intereſts of humanity, would derive every

every ſupport from the generoſity of Engliſhmen. The means, therefore, of carrying forward ſuch a work, would conſiſt of Parliamentary aid and public ſubſcription. Having thus ſhortly ſtated the outline of the plan, the right hon. Secretary concluded with moving, that a Committee be appointed to propoſe an eſtimate of the expence of erecting, and the probable expence of maintaining, a Royal Military Aſylum for the Children of Soldiers, to be founded at Chelſea.

The motion being agreed to, a Select Committee was appointed.

An account was laid on the table of the increaſe and diminution of Salaries in the Public Offices for the years 1797, 1798, and 1799.

The bill for incorporating certain perſons into the London Company of Manufacturers of Flour, Wheat and Bread; and the bill for incorporating the Police of the Coromandel Coaſt and the Preſidency of Bombay under the Preſidency of Madras, and for the better regulation of juſtice in India, were read a firſt time, and ordered to be read a ſecond time on Friday next.

The bill for permitting the uſe of ſugar in brewing, the bill for extending the powers of the Land-tax Commiſſioners, the bill for indemnifying bakers who have ſold, or who may ſell, bread to ſoldiers on their march, not twenty-four hours old; and the Hampſhire New Foreſt Regulated Bill, were read a firſt time, and ordered to be read a ſecond time the next day.

A Committee was ordered to ſit the next day to conſider of the 39th of Geo. III. relative to wort and waſh.

The Houſe in ſucceſſive Committees conſidered of the ſtamp duties on transfers, &c. under the Seal of the Dutchy of Lancaſter, of the duties on wine and ſpirits from the Cape of Good Hope, and of the duty on kid-ſkins imported. Wines from the Cape are to be ſubjected to the ſame duties and entitled to the ſame drawbacks as wine from Portugal; and ſpirits, to the ſame duties and drawbacks as Weſt-India produce. Kid ſkins imported are to be exempted from 8s. 4d. of the preſent duty of cuſtoms, and from all duty of exciſe. The Houſe being reſumed, the reports of the ſeveral Committees were ordered to be received the next day.

A perſon from the Privy Council preſented an account of the minutes of council relative to the Birmingham inſtitution for the manufacture of flour and bread.

Mr. *Tierney* moved for an account of the outſtanding demands remaining due and unprovided for, on the 5th of Janu-

ary, 1799, and 5th of January, 1800—an account of Exchequer bills out-ſtanding and unfunded at the ſame periods—and an account of the ſubſidies paid or due to the Emperor of all the Ruſſias, on the 5th of January, 1800. Ordered.

The Horſe-hide bill was reported.

The public accompiants intereſt bill was read a third time and paſſed.

The other orders of the day were deferred. Adjourned.

HOUSE OF LORDS.

TUESDAY, JUNE 10.

On the motion for the third reading of the Wapping Wet-Dock Bill, counſel appeared at the bar in behalf of the petition againſt it. But as they had been heard in the Committee, and no order had been made for their being heard upon the third reading, they were not admitted to argue againſt the bill, which was read a third time and paſſed.

The ſeveral bills on the table paſſed a ſtage each.

Strangers were then obliged to withdraw. So rigid was the excluſion, that members of the Houſe of Commons, (excepting only Peers eldeſt ſons), were not permitted to be preſent.

A long debate took place on a motion of the Earl of Carliſle, on his complaint of a breach of privilege, which continued to nearly eight o'clock, and then the debate was put an end to by the queſtion of adjournment, which was carried.

HOUSE OF COMMONS.

TUESDAY, JUNE 10.

Mr. *D. Ryder* and Mr. *Canning* took the oaths and their ſeats, the former for Tiverton and the later for Wendover.

The Lord Mayor preſented a petition from the Aldermen and Common Council of the City of London againſt the Bank Avenue Bill. Ordered to lie on the table, and counſel to be heard.

His Lordſhip afterwards preſented a petition from the Bakers' Company againſt the bill for incorporating certain perſons into a corporation for making flour, bread, meal, &c. Ordered to lie on the table.

The Houſe reſolved itſelf into a Committee of the whole Houſe on the bill for amendment of a bill paſſed laſt Seſſion for an augmentation of the ſalaries of the Judges of Weſtminſter-hall, and the Scots Judges.

Mr.

Mr. *Ryder* moved for a Committee to take into conſideration the act 36 Geo. III. relative to the importation of Linſeed Cakes. Ordered.

He alſo moved for a Committee to take into conſideration the act 39 Geo. III. concerning the importation of Corn. Ordered.

Mr. *Harriſon* moved for an account of all ſinecure offices and patent places held by deputy, which have become vacant ſince the report of the Secret Committee. Ordered.

Mr. *Robſon* moved, that there be laid before this Houſe an account of any ſum or ſums of money which may have been advanced to any Committee in aid of the ſoup eſtabliſhments withiu the metropolis.

The *Chancellor of the Exchequer* ſaid, that a ſum of money had been applied for, and granted out of the Civil Liſt: but he could not conceive any purpoſe it could anſwer to lay that paper, which the hon. Gentleman moved for, before the Houſe.

Mr. *Jones* ſaid, he conceived the hon. Gentleman who made this motion was perfectly right in ſo doing. Certainly every member of the Houſe had a right to make enquiry into the expenditure of the public money, and the hon. Gentleman who made this motion had his hearty thanks. He thought the right hon. Gentleman could have no good reaſon for refuſing to produce the paper. He was afraid the miniſter wiſhed to torture benevolence into taxation. This introduced a deſultory converſation, in which

Lord *Hawkeſbury* ſaid, that he admitted the right of any member to move for a paper; but the Houſe would certainly uſe its diſcretion relative to ordering the production of it, unleſs ſome very ſtrong grounds were ſtated for producing it.

Mr. *Robſon* ſaid, the grounds on which he proceeded were, that he was deſired to make this motion by 70,000 people, in one of the firſt pariſhes in the metropolis.

Mr. Harriſon, Sir William Pulteney, Mr. Nicholls, Mr. Hobhouſe, Mr. Jekyl, Sir Ralph Milbank, Mr. Martin, and Sir William Wilner, ſaid a few words each in favour of the motion; the Attorney-general ſpoke againſt it.

A diviſion took place ——*Ayes* 50 | *Noes* 108.

A meſſage from the Lords informed the Houſe that they had agreed to the bill for making Wet-docks, and improving the port of London, and to ſeveral private bills.

ADULTERY BILL.

The *Maſter of the Rolls* moved the order of the day, for the Houſe

Houſe to reſolve itſelf into a Committee of the whole Houſe, on the bill for the better prevention and punishment of the crime of adultery.

Sir *Gilbert Heathcote* roſe to oppoſe the Speaker's leaving the chair. He did not think the country ſo little actuated by a genuine and honourable ſenſe of duty as many hon. Gentlemen appeared on former occaſions to inſinuate. The people were not ſo vicious, the ſtate of public morals was not ſo depraved as to require a bill ſo ſevere and exceptionable as that which it was now propoſed to ſend to a Committee. With no reaſon to alter his opinion, he would declare himſelf as hoſtile to the meaſure that evening, as he ever had been in any ſtage of it. Why ſeek to arm judges with new and extraordinary powers? By the law, as it ſtands, they have it in their power to puniſh with impriſonment any one who cannot pay the fine in damages inflicted in the courts of law. Before, therefore, the Houſe agreed to ſuch a bill, it was fitting to conſider all its proviſions with a grave and full attention. It was neceſſary the proviſions were ſuch as all would allow to be neceſſary, but eſpecially, whether the bill, if adopted, would produce the good effect the attainment of which was avowedly the object of it. The puniſhment propoſed was ſevere and unexampled. The offence which Gentlemen ſought to puniſh was almoſt as old as ſociety itſelf. There was one remark which he would preſs on the Houſe, and it aroſe from ſome cloſe and accurate obſervation of the progreſs of manners in the ſurrounding countries of Europe. In France, formerly, and ſince her revolution, there did prevail an apparent laxity of morals. The women were leſs under the dominion of a ſevere moral police, and, if amorous, were not made the ſubject of actions in the courts of law, yet they did form very univerſally the topics of converſation. But whatever was the ſtate of public morals in the other nations of Europe or in France, the laws to correct adultery were leſs ſevere than among ourſelves. Adultery was undoubtedly a crime. It was inconſiſtent with the ſecurity of ſociety, and ought to be corrected and reſtrained in every way that ſound policy would dictate. But he was afraid that frequent and ſevere puniſhments did not tend to prevent the commiſſion of crimes. He thought the Houſe would act wiſely in obſerving great caution with reſpect to laws which would add to the criminal code of the country. There did not appear to him to exiſt any very great reaſon for complaining of the morality of the people.

With

With reſpect to the progreſs of divorces, he ſaw nothing even in the increaſe of them that juſtified the Houſe in ſuppoſing that the number of divorce bills paſſed of late afforded any true criterion of the number of caſes of adultery, or of the actual ſtate of morals. In latter times, under the influence of altered habits of thinking, with indeed a total change of manners, we ſaw the huſband ſue for a divorce, but might not this be as certainly occaſioned by a refinement in morals as by the alledged greater turpitude of our days. The clauſe in the bill diſqualifying the woman from marrying her ſeducer appeared to him to be peculiarly ſevere and impolitic. An unhappy female, who, yielding to the weakneſs of her nature, permitted herſelf to be allured by the arts and flattering encomiums of a practiſed ſeducer, or by the rapturous and fervent importunities of a deluding lover, was by the bill to be baniſhed ſociety, to be driven from the protection of her friends, to be deſpiſed by all who knew her, to be doomed to a life of ſorrow and of ſolitude, becauſe, unfortunately, ſhe ſuffered herſelf to be ſeduced from her duty. It did not become him to conſider adultery with any other impreſſion than that it is a crime. But while he did allow that ſcarce any act of man could be more criminal, he felt it to be not leſs his duty to deprecate all ſeverity in the mode or meaſure of puniſhment. The Houſe would do well to recollect, that by inflicting too ſevere a puniſhment, women are likely to become objects of pity, who ſhould be objects of indignation. In other reſpects the bill was highly objectionable. It violates the principle of the trial by jury, and trenched very much on the principle of free and independent legiſlation. The clauſe making adultery a miſdemeanour, would not anſwer the expectations of thoſe who framed it. What induced a man to marry the woman he had ſeduced? Why, a ſenſe of the injury done by him to ſociety. But if once the law enacted ſo ſevere and mortifying a puniſhment as impriſonment, was it to be ſuppoſed that men who would be ſent into the world like felons, men depraved perhaps by the company they mingled with in a gaol—was it to be ſuppoſed that ſuch men would, after ſuffering ſo much, feel at all diſpoſed to conſider with tenderneſs the ſituation of the female?

Mr. *Erſkine* ſupported the bill. He ſaid that in ſtating to the Houſe his reaſons for concurring in the motion for the Speaker leaving the chair, he would not think it neceſſary to go in detail through the whole of the bill. He underſtood that it was ſaid by a very learned and excellent judge (Sir William

William Scott) in a recent debate, that the crime of adultery was not increaſed of late years: but whether it had increaſed or not, was not of importance to the rightly conſidering the queſtion then before the Houſe. If the preamble ſtated what would not be denied, namely, that adultery is a crime, and that it ought to be reſtrained and puniſhed, he thought it not too much to claim it of the Houſe to go into the Committee. It was not his intention to pronounce a libel on the people of England. Public morals were in general ſound. Yet, though he could not ſupport the bill on any general ground, ſuch as a comparative view of the preſent age with thoſe of the ages which have gone before, he did not conceive it to be his duty, with that preamble in his recollection, to remind Gentlemen that adultery had been obſerved of late to make alarming progreſs. No man would deny, that adultery was a prevalent vice and evil, and if prevalent, it ſurely was wiſe to attempt to correct it. At preſent, the criminal law was in effect ſilent on the ſubject. It was an obſervation of the great preſident Monteſquieu, that the criminal law ought to be harmonious in all its parts. Now, if in the Britiſh code, ſo renowned throughout Europe and the world for the wiſdom and the benevolence of its enactments, there does not occur a proviſion for puniſhing and reſtraining the vice of adultery, was not that code in this reſpect defective? He wiſhed not to ſee any anomaly in the criminal law of England. If a foreigner, from a deſire to know our laws intimately, and induced to ſtudy them with care from veneration of the conſtitution, were to aſk in what code he muſt look for the vice of adultery, would he not naturally expect to find it anſwered, in the criminal code. The preſent bill, if paſſed into law, would have that crime in this code. The beſt way of conſidering adultery was as a miſdemeanour and public wrong. It was ſaid that to the huſband money could be no compenſation for the injury he ſuſtained. The full force of this remark was admitted by the framers of the preſent bill. They did not conſider that the peace of mind, the domeſtic quiet and happineſs of the huſband, would be at all reſtored by any compenſation in damages awarded by a jury. In conſidering adultery as a public wrong, it muſt be alſo conſidered a civil injury. There was no act of man on which the criminal code operated that did not involve a public wrong, as it implied a civil injury. Treaſon, robbery, felony, aſſault, and battery, were in their nature public wrongs, but they were alſo civil injuries. The crime of adultery was a public wrong.

wrong. Thus then, while the rights of the individual are not merged in any general principle of juriſprudence, it is ſought by the bill not to diveſt the public of the means of correcting crime and of puniſhing guilt. Adultery is lifted up both by the common law and by our ſtatutes into a public crime. Now with regard to adultery being conſidered a miſdemeanour, he would ſay that moſt undoubtedly it did properly fall within that deſcription. According to the laws of man, promulgated for the regulation and ſecurity of ſociety; according to the laws of God, promulgated for the inſtruction and the preſervation of man, this bill was clearly a crime. But if theſe things were even put out of view, if it were put out of view that the effect of adultery is to diſtract, and divide and ruin families; if it were put out of view that it is a violation of the ſanctimonious ceremony of marriage; if it were put out of view that by ſuch a crime the order and the ſucceſſion of families of that compacted and regulated ſtate, which conſtitutes and conſecrates ſociety, are diſturbed and broken, ſtill the vice is by the law an indictable offence. Hence the preſent bill propoſed to do little more than give activity to the law. But, looking at adultery as it affected ſociety and families, what man was there who would not concur with him in conſidering it a moſt hideous crime? Adultery breaks up all domeſtic ſociety—for the moment the mother loſes her ſenſe of the moral obligations, children relax in the obſervance of their duties. With reſpect to the criminal code, and the diſcretionary power to the judges, did Gentlemen forget that the judges have a power to fine and puniſh by impriſonment? The effect of all the comments on the power of the judges was an attack on the criminal code. From his experience he could ſay, that adultery was rather conſidered as a crime than a civil action. Much might be ſaid of the damages allowed in certain caſes. He could not help confeſſing that there were inſtances of great abuſe in this reſpect; but he would ſay, that where the man deſired ſatisfaction from damages, he deſerved no damages at all. Again, adultery is like no other caſe. If a man is wrongfully impriſoned, if he decay and loſe his health in conſequence of a weary loathſome confinement, ſtill the laws of his country make him reparation by allowing damages, and it is no ſhame to accept of whatever is ſo awarded. But can a man who takes the money, which is the reward of the proſtitution of his wife, feel himſelf ſatisfied in the poſſeſſion of it? Here the hon. and learned Member took a haſty view

of the clauſes of the bill. He took notice of an anomaly in the mode ſuggeſted for bringing the action, but obſerved, that this might be altered in the Committee. With reſpect to the clauſe prohibiting the parties from marrying, a great part of the objection to it might be removed, by leaving it in the power of the Legiſlature to enact exceptions in bills of divorce. For this purpoſe, a clauſe might be always introduced reſerving ſuch a power. In diſcuſſing the principle of a law, it was neceſſary to conſider the nature of law in general, and of Britiſh law in particular. Now, according to the principles of univerſal law, it would not be denied that for a man to go to the altar, and there ſolemnly vow that he will be conſtant, faithful, and affectionate to the woman who is his choice, and yet to violate that vow, is a flagrant tranſgreſſion of moral duty in a man or woman, and is an enormous crime againſt God and ſociety. But, according to the practice which had prevailed of late, it ſeemed that men cared not how much they offended againſt ſacred ordinances. A man might now go into the houſe of a perſon in a middling condition, and being in a more dignified ſituation of life, elevated by his rank or by his title, with his court-ſuit to give ſplendour to his figure, might tell the woman, "You are not in thoſe circumſtances of affluence to which your beauty and accompliſhments entitle you; what a pity it is that we have not been permitted to meet each other in another period of our lives; we were intended to form an union of friendſhip and of love; give me your confidence, I will give you my heart." After ſuch an introduction, a man ſo gifted might propoſe "an honourable marriage." It is agreed to. Was not this a ſyſtem calculated only to deſtroy the peace of families? The bill ſought to correct that and all ſimilar abuſes. In regard to the clauſe to prevent the parties marrying, he had ſaid that there might be caſes when it would be wiſe and politic to allow them to marry. He had known one or two ſuch caſes in his own time. He entertained the higheſt veneration for the women of England. They were educated and bred in a due reſpect and value for the moral duties. They were not ſo criminal as was generally believed. He could ſay, indeed, from his own experience, that the woman in a caſe of adultery is not ſo much to blame as the man. But, however much he wiſhed to afford every conſolation to the unhappy female, yet it was fitting that he ſhould remark, that even if the woman did marry, it would not be the means of reſtoring her to her rank in ſociety.

ciety. The world did not eaſily forget the firſt falſe ſtep, and was too delicate and ſcrupulous to receive into its boſom thoſe who had violated the ſolemn vows of the altar. Having recapitulated his arguments, the hon. and learned Gentleman concluded by declaring himſelf for the bill going into a Committee.

Mr. *M. A. Taylor* ſaid, it was ſomewhat ſingular, and he wiſhed Gentlemen to conſider how this buſineſs had proceeded ſo far. When firſt it was brought from the Lords he, and others, who were againſt the principle of the Bill, wanted to have oppoſed it in the very outſet. when they were told that it would be indecent to attempt to throw it out at that time. Now they were told, that having ſuffered it to be read a ſecond time, they certainly were bound to let it go to a Committee. He, however, for one, ſhould oppoſe its doing ſo. Is it neceſſary, ſaid he, to alter the law on this ſubject? He confeſſed he ſaw no reaſon for ſo doing; the law, as it now ſtood was perfectly adequate to the puniſhment and repreſſing of the crime. He differed widely with his hon. and learned Friend on this ſubject, and was averſe from putting this crime upon the criminal code of the country His learned Friend had aſked, where would you find adultery? In anſwer to that he would ſay, where will you find ſeduction? yet ſeduction was equally as great a crime as adultery, and there is no puniſhment whatever for it. By the ſame rule that you put adultery on the penal code, you ought to place ſeduction there alſo; and ſo you might go on, one after another, with various civil injuries, till you ſwelled your penal code to an enormous height, and there would be no knowing where to ſtop. In the ſame way, if you place ſeduction there, and make it a miſdemeanour, you would ſoon have half the farmers in your different neighbourhoods tried in the King's Bench for ſeduction. He differed alſo from that part of his learned Friend's argument, where he ſaid he did not care whether there was an increaſe of divorces or not. He, on the contrary, thought it was very material; for if there were not many, why make a new law to puniſh that which does not want it? He had, he ſaid, a good advocate on his ſide on this head, the Judge of Doctors' Commons, who ſaid there was only one ſuit for divorce in the laſt ſitting of the Commons. If morality and religion will not have effect on the minds of the people, violent laws will not. If we look into other countries, and take a view of the morality and religion in any of them, we ſhall have great reaſon to be proud

of the morality of our own. He ſaid, that if any one would ſhew him that this crime was making rapid ſtrides, he ſhould be willing to attend to any bill which might be deemed neceſſary for repreſſing it; but if it is otherwiſe, why change the law upon that ſubject; Many doubts had been ſtarted on this ſubject in the other Houſe; many had ariſen and been ſtarted here; many were entertained out of doors upon it; and as there are ſo many doubts, why ſhould the Houſe go this Seſſion to paſs a bill which ſo eſſentially alters the law of the land? He thought for his part, that making it a miſdemeanour would only ſerve to ſcreen adulterers. Juries would not be ſo apt to find a verdict as they are now, that they are only to pay in damages. He might, indeed, ſay in the words of a great moraliſt, and a celebrated poet:

——— ——— "Eheu
"Quam temerè in noſmet legem ſancimus iniquam!
"Nam vitiis nemo ſine naſcitur: Optimus ille eſt,
"Qui minimis urgetur."———

He begged Gentlemen would conſider the injurious tendency of the Bill, and oppoſe the further conſideration of it in a Committee.

The *Secretary at War* ſaid, that the Bill had been already ſo much anxiouſly diſcuſſed, that he would compreſs the obſervations it was his intention to ſubmit to the Houſe upon it. He did not conceive it neceſſary to dwell any time on the importance of the meaſure, that was acknowledged by all who had given it any conſideration. A great maſter of old had ſaid, that marriage was the elementary principle of ſociety, and this being admitted, it was incumbent on the Houſe to conſider how beſt to preſerve that ſtate in its integrity and purity. The firſt queſtion which ſuggeſted itſelf in entering on this enquiry was, whether the law now propoſed was neceſſary, and 2dly, whether any change in the manners and morals of the people has ariſen to require ſuch a law? and whether, on the other hand, the meaſure now offered is likely to compenſate for the attempt at reform which is to follow from it. He was opinion that the bill would not be productive of ſuch ſalutary effects as ſome gentlemen appeared to anticipate. The increaſed laxity of public morals, but eſpecially the increaſed caſes of divorces in late years, might be owing chiefly to our increaſed wealth, and to another circumſtance not leſs deciſive, namely, the very great extenſion of that claſs in ſociety known by the general deſcription of rich gentry. What had been ſaid of the harmony

mony of the criminal code was true, as general doctrine, but nothing ſo looſe would do to be adopted as a ground of legiſlation. It was objected to the making adultery a miſdeanour, that it would cauſe the extenſion of the principle, and lead to general laws for puniſhing even petty moral violations. As to the law not taking full cognizance of the crime of adultery, he would juſt remark, that if the law on the caſe was not in terms a penal law, it became ſuch by its operation. There was a fine inflicted; this was a penalty, and therefore it was a penal law. He thought that it was brought forward without full conſideration; it was a haſty, immature meaſure, which had grown up by chance. Half of it was added to a bill which was rejected, and only this half appeared to be at all concurred in generally. So that while the ſupplemental part was likely to be preſerved, the firſt part would probably be loſt. The chief objection to the bill was, not that the puniſhment bore unequally, but that it did not operate in both caſes as a prevention. It was ſaid, that in point of fact its enactments would be a penalty on the woman, while it gave a premium to the man. Other objections had alſo been avowed. Some gentlemen adjured the Houſe not to deprive the woman of the means of repentance; but, ſurely, that was a ſtrange mode of repenting—for a woman to return to the arms of her ſeducer. In alluſion to his mother's guilt, Hamlet is made to ſay,—"Good night, but go not to my uncle's bed," He thought the bed of the ſeducer was not the moſt proper place for reparation in a moral point of view. There was, as it were, a threat held out by the woman, that if ſhe ſhould not be permitted to marry, ſhe would go over to proſtitution. Very few could ſincerely admire this ſort of ſentimental affection, which terminated on the part of a woman in a determination, that if ſhe were not allowed to marry ſhe would go on the town; it would only do in a German play, or a chapter of a modern novel. The Houſe would proceed on better and leſs ſophiſticated principles. But moſt curious opinions had been held on this ſubject. It was ſaid that parties would be formed for the protection of the female, if the legiſlature did not protect her by ſanctioning marriage with her ſeducer. He could only anſwer to this by obſerving, that the effect of ſuch a combination muſt be rather to ſink thoſe who enter into it, than ſupport thoſe on whoſe account they coaleſce. With regard to marriage itſelf, he would not however diſſemble, that he conſidered it a matter in which laws would do leaſt;

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and manners moſt to protect it. The laſt clauſe, however, which prohibited marriage, was capable of infinite modifications. There was an argument which had been uſed on the bill, which he would briefly notice. It was ſaid that the Houſe could conſiſtently refuſe to go on with the bill, becauſe it came recommended on very high authority from another place. Now againſt this argument there was a ſet off, which in his mind afforded a complete anſwer, namely, that if ſuch a principle were adopted, it would be to deny the Houſe the right of Legiſlation. He concluded by expreſſing his wiſh that the bill might go into a Committee.

Sir *William Scott* began by obſerving, that previouſly to the practice at preſent adopted with reſpect to obtaining divorces, the parties injured poſſeſſed no other means of redreſs than that of an application to the Eccleſiaſtical Courts, which furniſhed a remedy conſiſting in ſeparation. He was fearful that his ſpeech on a former occaſion, as it related to the ſubject which now called for the attention of the Houſe, had been miſunderſtood. He had compared the preſent ſtate of morals with that of paſt ages, and he had, after a minute and candid inveſtigation, no difficulty in ſaying, that the morals of the preſent age were as ſound and pure as thoſe of the paſt. Gentlemen might, perhaps, from ſuch an admiſſion, not eaſily reconcile the number of divorces now, with thoſe which took place in former times. But here he begged leave to remark, that there were other cauſes, and perhaps of a nature much more powerful, to produce the crime for which the Legiſlature was now called upon to provide an efficient remedy. Without entering into a very long and complex reaſoning, it appeared to him, that the increaſe of adultery was, ſpeaking at leaſt in a probable manner, to be traced to the increaſe of wealth, to the increaſe of the habits and gratifications of luxury, and to the various additional opportunities which offered for the indulgence of ſenſual propenſities. When he took an impartial view of the cauſes and the effects, he could not help ſaying, that he was apprehenſive no Legiſlative proviſions, however wiſely framed, however attentively conſidered, could effectually prevent a crime that operated in the moſt deſtructive way upon the peace and happineſs of ſociety. Yet, though no poſitive ground could be ſtated, that the preſent meaſure would prove adequate to an object ſo truly deſirable, he could undertake to ſay, that if it was but likely to correct the evil to a certain degree, no man could in that caſe oppoſe its adoption. It had been ſaid that adultery

was

was a crime; if it were really ſo, he wiſhed to know how it was to be prevented by the exiſting laws? It was evident that adultery was not recognized by any ſtatute law whatever as a crime, nor followed by any ſpecific puniſhment. He would alſo contend, that the civil law had enacted no puniſhment againſt it, and tracing it in every poſſible line, he found that it was known to the eccleſiaſtical law only as a crime. By that law, it certainly might have been puniſhed, yet the puniſhment was ſo ſevere, that it was diſuſed, and became indeed from the change of manners altogether inapplicable. Conſidering the ſubject in the moſt favourable light, it appeared to him that the Houſe were called upon to conſider it as a crime; and it certainly would be abſurd in them to recognize it as ſuch, and not afterwards provide a proper and adequate puniſhment. Were there then no other reaſon, he was clearly of opinion that the Houſe ſhould go into a Committee on the bill. With reſpect to the clauſe that went to prevent the marriage of the perſons guilty of adultery, he was well convinced there were various opinions of great weight on both ſides, but he was free to ſtate, that if it ſtood alone he could not agree in it. He thought it inconſiſtent with moral policy to adopt ſuch a clauſe merely by itſelf, but if it were connected with the clauſe which went to make the crime a miſdemeanour, he had no doubt of the excellent tendency which it poſſeſſed to correct the evil complained of. Taking, therefore, a general view of the queſtion, he thought ſeveral ſalutary alterations might be made in the Committee, and the motion ſhould therefore have his ſupport.

The *Attorney General* ſaid, that he entertained very great reſpect for the framers of the bill, but it was ſtill obvious that it had been framed with one view, which pervaded the whole of the meaſure, and he felt no heſitation in declaring that it was in his mind an incomplete and haſty proceeding. The object of the bill was to puniſh adultery, and to regulate divorces. He certainly could not object to any juſt puniſhment that went to effect and to correct a crime of ſuch depravity. But as far as the bill went to regulate divorces, it appeared to him to trench upon the privileges of Parliament. When it was viewed in all its probable relations and effects, the conſequences would be, that the bill would neceſſarily interfere with that harmony and perfect accordance in the criminal code, ſo eſſentially neceſſary to be preſerved for all the purpoſes of right Legiſlation. Having delivered his general ſentiments reſpecting the meaſure, he would, however, admit

mit that much might ſtill be done in the Committee to render the bill ſalutaty in its operation; and he therefore ſhould not oppoſe the Speaker leaving the Chair. An hon. and learned Friend of his (Sir W. Scott) had ſaid that adultery was not known to any law as a puniſhable crime, except in the Eccleſiaſtical Courts; but his hon and learned Friend would be of a different opinion if he would look into the codes of the northern nations, as well as the ancient ſyſtem of this country. He would there find it had been puniſhed ſeverely, and with a cruelty which was not warranted even by the nature of the crime. His hon. and learned Friend might therefore perceive (and it was for that purpoſe he mentioned it), that the crime was puniſhed by the civil law. When indeed chriſtianity had ſucceeded in making a very conſiderable progreſs, and the Papal power had acquired great influence, the firſt code was changed, the original puniſhment was altered, and there was introduced into the eccleſiaſtical law the meaſure of puniſhment with which the crime was afterwards to be affected. That meaſure of puniſhment gradually loſt its efficacy, and finally dwindled into inſignificance. He concurred in opinion with an hon. and learned gentleman (Mr. Erſkine) who had ſaid, that many of the objections to the bill might be removed by inſerting a clauſe to prevent both parties from marrying without a ſpecial clauſe in the act of Parliament by which they were divorced. Having offered theſe ſhort obſervations, he ſhould only add, that with reſpect to the clauſe which rendered adultery a miſdemeanour, he was decidedly of opinion that it ſhould be ſo in the man as in the woman.

The *Maſter of the Rolls* ſaid, that the real object of the Bill was miſunderſtood. It was ſaid that it was intended to inflict a ſevere, and unjuſt, and cruel puniſhment upon the female, and to ſubject the man to an arbitrary and oppreſſive penalty. The object of the Bill was neither to impoſe penalty nor puniſhment, but to leſſen the frequency of the crime of adultery, the moſt deteſtable crime, and the crime the moſt deſtructive of the peace of ſociety of any that exiſted. Whatever might be the means to be employed, this was the ſole end in view. Whether adultery had increaſed or not, after what had fallen from ſeveral honourable and learned gentlemen, he would not take upon him to determine, but certain he was that the number of divorces had increaſed to an alarming degree. Before the reign of George II. the number paſſed was inconſiderable; in that reign 24 had been

paſſed;

paſſed; in the preſent 99. The Houſe would do well to pauſe for awhile, and conſider of the propriety of this ſyſtem. Adultery, ſurely, was a great crime, yet it was now only puniſhable by civil action, a mode of puniſhment altogether inadequate for ſuch an offence. The jury, from deteſtation of the crime of the ſeducer, often gave vindictive damages to the huſband. This practice had the worſt conſequences, as the huſband might now ſell his wife's honour for a piece of money. There was no doubt that huſbands often connived at the miſconduct of their wives, from the hope of being enriched by the damages they are likely to receive. Would any one ſay that that was a good ſyſtem which gave riſe to ſuch enormities? Again, the damages very frequently never were exacted, and the adulterer eſcaped unpuniſhed. Divorces too were granted when they ought to be refuſed, as the huſband intimidates the wife from diſcloſing his miſconduct, by threatening to act harſhly to her paramour. At preſent things ſtood in that monſtrous ſituation, that perſons might free themſelves from the bond of matrimony by their own delinquency. If it had been foreſeen that this abuſe would have ariſen from granting Divorce Bills, he was confident that they never would have been granted. They were but of modern date, and of ſtill more modern date was the cuſtom of allowing the adultereſs to re-marry. He did not by any means ſay that ſuch a marriage was illegal, and he was ſorry that ſuch a queſtion ever had ariſen. If any doubts were entertained he would be happy in concurring in any meaſure for removing them. At preſent a man might pay his addreſſes to the wife of a virtuous huſband, and the mother of a numerous family, with equal confidence, as if he were addreſſing a young lady who never had been married. Many other evils might be mentioned; but theſe were ſufficient to prove the inefficacy of the preſent laws, and they ought to be amended. The proviſions of the preſent Bill he thought extremely well calculated to correct theſe abuſes, and when it came out of the Committee he truſted that it would be altogether unobjectionable.

Mr. *Wilberforce* ſaid, it was allowed on all hands that the preſent ſubject was highly important, and that, whether adultery was becoming more or leſs frequent, it would be extremely deſirable to diminiſh its frequency. The Author of our moſt holy religion had denounced this crime, and had dwelt upon it more particularly than upon any other. Marriage was by no means merely a civil contract; the ſtate had

a right to prescribe the ceremonies by which it should be contracted, but it was sanctified by religion, and was on that account more holy, and ought to be more indissoluble. Since the beginning of time, no institution had been devised so well calculated to promote the happiness of man, and it ought to be regarded with the greatest respect and reverence. In this light it could not long be viewed, if the present system were continued. Whether adultery was a crime, by the law of England, seemed to be disputed, but all must allow that at any rate it was unpunished. A civil action was quite nugatory and inefficacious. There were many cases where the husband deserves no compensation in damages, and where the man who has seduced his wife deserves the most exemplary punishment. It often happened, that an amiable well-disposed woman brought back to the paths of virtue a dissipated and worthless husband, but if an accomplished villain should insinuate himself into her good graces, extol her virtues, flatter her weaknesses, exaggerate her sufferings, dwell upon the misconduct of her husband with malicious particularity, and regret that he was not the happy man destined to lead her to the Altar of Hymen, it might well happen that he might succeed in undermining her principles and completing her dishonour. Would any one say, that this was not the most guilty of mortals? Yet should the husband bring an action against him, it would be said with justice, that the plaintiff was a careless, debauched, and profligate scoundrel, and that he ought to be nonsuited. He could with ease state many other cases, where there was a loud call for punishment, and to give damages would be improper. It would be no difficult matter to shew how adultery is not reckoned a crime by the laws of England, and why our laws, whose excellence in most particulars is unrivalled, are so deficient in what regards the interests of morality. But he would delay entering upon these topics till a future opportunity. We were now exactly in that state when a Bill of this nature was necessary, and if we delayed much longer it would be altogether ineffectual to stem the torrent of corruption. The principles of the people were still good, though their practices were beginning to be very immoral; and it was well known that bad habits would ruin the best principles that were ever entertained. Our wealth had greatly increased, and had occasioned a corresponding increase of luxury, directly tending to introduce licentiousness of manners, and some regulation was now indispensibly necessary to counteract

teract this tendency. The ſcience of morals was now better underſtood than in any former age, and propriety of character was more accurately marked: but it by no means followed that our actions were correſpondingly laudable. Here the honourable Gentleman drew a parallel between the ſtate of morals in this country now and in the time of Charles II. There could be no compariſon between the Courts, he ſaid, and took occaſion to pay ſeveral handſome compliments to the exalted virtues of their preſent Majeſties; but he contended, that in the end of the laſt century there exiſted, in the middling ranks, a regard to religion and morality, which is now unknown. There was now an uniformity of moral character which he did not approve, and ſome regulation was indiſpenſibly neceſſary to give a new tone to the national manners. It was by no means the caſe, that the Bill had owed its origin, as had been repreſented, from accident, or the reveries or vagaries of any individual. It had been introduced upon due deliberation by an able Stateſman, who, having retired from the active ſcenes in which he had formerly been engaged, had employed his leiſure in promoting the intereſts of that country which had ſo properly rewarded his merits. He thought the propoſed puniſhment by no means too ſevere for the offence. Hitherto the adultereſs had been rewarded for her breach of the marriage vow, and there were many reaſons which conſpired to ſhew that the intermarriage of the parties ſhould be prohibited. It was the duty of Legiſlators to enact laws the beſt calculated to promote the preſent happineſs of mankind. Even in this point of view it was very ſhort-ſighted to allow an opiate to be adminiſtered to the woman who has been guilty of ſuch a crime, and to allow her to return to ſociety to indulge in luxury and licentiouſneſs, and to corrupt thoſe around her by her precept and example. He was greatly alarmed when he heard honour ſpoke of as contra-diſtinguiſhed from honeſty. This was falſe honour, the moſt dangerous of all principles. Againſt ſuch principles he entered his ſtrongeſt proteſt, as he never ſaw them acted upon that miſery was not the conſequence. Therefore, no longer let it be allowed that a man ſhould, in defiance of religion and morality, attempt to alienate from her huſband the affections of a wife, and ſay, that becauſe he intends to marry her that his conduct is honourable. It had been ſtated, that if the Bill ſhould paſs, the number of adulteries would be increaſed, as the debauchee would then be more ready to prey upon the ſpoils of innocence, when there

was no poſſibility of his being obliged to marry the woman he has ſeduced. He himſelf did not believe that ſuch a monſter exiſted, bad as his opinion was of the character of a rake. The human heart could not be ſo hardened, nor the moral principle ſo debaſed. But would not the removal of this reſtraint be much more than counterbalanced by the ignominy which would attach upon the ſeducer, and the puniſhment he muſt expect to undergo. Beſides, the number of profeſſed debauchees he believed to be greatly diminiſhed; and it was evident that the ladies now-a-days paid more attention to men of education, good ſenſe, and integrity, than to theſe ſilly coxcombs, theſe noxious vermin, theſe men who range about like wild beaſts prowling for their prey. Upon the whole he highly approved of the Bill, and was convinced that it would be attended with the happieſt conſequences.

Sir *Francis Burdett Jones* ſaid, that the perſon convicted of having been guilty of adultery was already puniſhed ſeverely, by having monſtrous, vindictive, illegal, and unjuſt damages awarded againſt him. When this puniſhment had not operated as a preventative of the crime, how could it reaſonably be expected a puniſhment ſtill more ſevere would operate in preventing it? It had by no means been made out that the ſtate of manners was ſuch that there was any call for a meaſure of this nature. Although it had been proved that adultery had increaſed, and was rapidly increaſing, he ſhould ſtill have ſtrenuouſly oppoſed any legiſlative interference in matters of ſuch delicacy. The chaſtity of women muſt depend, not upon penal ſtatutes, but upon the principles and feelings of the mind. The Bill was a Bill to prevent marriage, and not adultery. The more power you gave the man (and he had already too much for his own happineſs), you rendered him the leſs amiable in the eyes of his wife, and you proportionably abridged the ſum of domeſtic happineſs. Marriage would be rendered quite diſguſting, morals would be undermined, and profligacy increaſed. The Bill would not at all operate as a reſtraint upon the licentious. It was the certainty, not the quantum of puniſhment, which deterred from ſinning. But though ſevere, nothing could be more uncertain than the puniſhment propoſed, and every one would hope that he would be fortunate, and be tenderly dealt with by the Judge. The Bill was inadequate in every reſpect, for it would be equally ineffectual in preventing colluſion. It would rather encourage it, as by the intervention of a third perſon, matters might eaſily be ſo arranged, that

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the woman might marry the object of her affections; but more particularly, as from the offence being made a misdemeanor, the man and wife might both be called to give evidence, and might collude together to ruin an innocent man. He objected to leaving so much in the discretion of the Judge. In other cases, he was governed in his decisions by rules and by precedents; but, in this case, there could be neither, and his sentence must be perfectly arbitrary. The estimation in which marriage was now held was as high as possible, but would certainly be diminished by this Bill. If the effect of it would be to reduce to misery a woman who had been unfaithful to her husband, her husband, if he was a gentleman, would not take advantage of it, and would refrain altogether from suing out a divorce. It was idle to think of excluding amiable and accomplished women from society; and if they were not allowed to re-appear as the wives of their seducers, they would certainly re-appear in a much worse character, and would do infinitely more mischief by their re-appearance. It was far from true that a woman did not now, in any degree, deteriorate her situation by being guilty of infidelity, if she is married by her betrayer. Did she not lose the society of her friends, the esteem of her family, the affection of her children, the consciousness of rectitude? Were these deprivations not a sufficient punishment for her offence? Would others, from her example, be induced to imitate her conduct? In fine, as no benefit would be produced by the Bill, as it would be the occasion of many evils, and as it was altogether inadequate to answer the ends it had in view, it had his most strenuous opposition, and he should vote against the Speaker's leaving the Chair.

Sir *Ralph Milbanke* contended, that the laws as they now existed were fully sufficient to repress the growth of the evil, if indeed it was encreasing, of which he doubted; whenever it came under the lash of the law, it was well known that it was punished with very heavy damages, and if not duly paid, the person against whom they were given was liable to arrest, or obliged to leave the kingdom, and often exposed to risk his life. The system now proposed, was of a harsh, unfeeling tendency; it tended to cast a frail unprotected woman on the mercy of the world, and to shut her out from all decent society. In such uncalled-for severity, he could never be brought to acquiesce, especially as he could not see that the evil was growing into the magnitude into which some gentlemen seemed disposed to exaggerate it; never should he consent

conſent to alter the mild and equitable ſpirit of the law of England, unleſs ſuch alteration was obviouſly called for by ſome urgent and imperious neceſſity. No ſuch neceſſity exiſted at the preſent moment and in the preſent caſe; he therefore felt it his duty to oppoſe the further progreſs of the Bill.

Mr. *Baſtard* was not much diſpoſed to prevent the Bill going through its regular ſtages; it might, perhaps, come out of the Committee a new Bill; but ſtill he could not ſee that it would anſwer the purpoſes of the framers of it; it left to the huſband alone the power of proſecuting, while the huſband perhaps was often, nay, he might ſay, almoſt always, the original cauſe of the vice, by abſenting himſelf from home, and ſpending his time in gaming houſes, and worſe ſorts of diſſipation, while he ſhould be attending to his domeſtic duties. Men had already the power of coercing their wives ſufficiently: they might therefore ſhield them from this crime by watching and protecting them, and doing their duty as they ought to do, *(A laugh)*. Indeed the whole miſchief aroſe from man and wife having ſeparate amuſements: the wife went to the Opera, the huſband to a gaming houſe; and ſo the town goes on. For his part he was againſt leaving it to the caprice of an individual to puniſh the crime of adultery, if it was to be made liable to ſeverer puniſhment. As to the clauſe for preventing the parties to marry, it appeared to him to be altogether nugatory. There would be much fewer examples of adultery, if the offending parties were compelled to marry; if the man knew he ſhould be obliged to marry the woman, he would pauſe before he committed the crime, and not riſque ſuch conſequences. He muſt therefore expreſs his diſapprobation of the Bill as it now ſtood.

Colonel *Elford* was of opinion the Bill ſhould be permitted to go into a Committee.

Sir *Gregory P. Turner* could not think of aſſenting to ſo cruel and ſevere a meaſure, though he as earneſtly wiſhed as any man could do, to aboliſh the foul crime of adultery. He was happy, however, to think that the evil was not increaſing; and it was generally acknowledged that the law ſhould go rather to prevent than to puniſh. But there were clauſes in this Bill of a moſt cruel and deteſtable nature: they went in a great meaſure to deſtroy that to which we all owed our exiſtence: *(A loud laugh)* yes: ſhould not the Houſe be friendly to that to which gentlemen owed their birth? We

ſhould

ſhould be tender of the fair ſex wherever we met them. The law now propoſed was therefore unwiſe, impolitic, and ungenerous; or, if any ſuch law was to be enacted, it ſhould be to make the parties marry; for, would it not be cruel in the extreme to caſt a woman upon the open world and make her be pointed at in the ſtreets? The Legiſlature would ſurely endeavour to promote domeſtic happineſs; for,

O, felices ter et amplius,
Quos irrupta tenet copula!

But, as the Bill had not that tendency, he muſt vote againſt it.

Mr. *Sheridan* oppoſed the Speaker's leaving the chair. If ever, Sir, ſaid he, there was a motion which ought to be diſcuſſed with delicacy and ſobriety, the ſubject of the preſent motion eminently called for ſuch a diſcuſſion. Thoſe who at firſt were ſuch ardent patriſans of this Bill, either cooled in their ardour for its ſucceſs, or loſt ſight of the convincing arguments which they intended to adduce in its ſupport. They now preſs us to let it go into a committee, and promiſe that it will come out of it materially altered and amended. For my part, I ſhould regret that it be permitted to go any farther; though, if another opportunity was to offer, I ſhould ſtate my reaſons more at large than I am inclined to do at preſent why I think it impoſſible to amend it. The benefit expected from its going into a committee, is wholly and ſolely that it may receive ſome moderate alterations, and come out of the committee in ſuch a ſhape as to make it fit to paſs into a law. But I cannot well believe that there is a ſingle gentlemen of thoſe who ſupport it, who entertain a ſerious hope that it can poſſibly be ſo altered in the committee, as to remove the radical objections that have been urged againſt it. It had indeed been aſſerted by many gentlemen, that the law could not remain as it now exiſted. Some general hints for improving it had been thrown out by ſome, by others ſome ſketches of additional clauſes were promiſed; but not one had attempted to pronounce that, as it now ſtood, it was fit to paſs into a law. If a new law was indeed called for, I perfectly feel that it is a ſubject of the graveſt conſideration for the legiſlature; but I muſt contend that no ſalutary law can ever be brought out of ſuch materials as thoſe now before the Houſe. They betrayed the utmoſt inattention and neglect on the part of thoſe who have attempted to frame the bill, and it was evident they had produced it in ſcorn and contempt of all advice, of all conſultation, and of all knowledge of the matter. They even paſſed over the firſt

authority

authority (Sir William Scott) from whom they might juſtly expect to derive the moſt inſtructive lights upon the ſubject. The meaſure came, therefore, before the Houſe recommended by no experience, ſupported by no fact, ſanctioned by no authority; it might, indeed, be ſaid, that it came to us graced with the approbation of the other Houſe: that undoubtedly was a weighty recommendation, eſpecially if the meaſure had there been carried by a decided majority; but we all know that the majority in its favour was there very ſlender indeed; ought we not, therefore, to pauſe before we liſten any longer to a propoſition which thoſe who advance it have never inveſtigated themſelves, or called for information on it from others? They ſurely ſhould not inſult us by calling on us to go into a committee on a bill which, on the face of it, muſt be acknowledged to be incorrigible. But I muſt beg leave here to call the attention of the Houſe to the nature of the meaſure propoſed for their adoption. When the Houſe proceeded to a legiſlative act, there were three queſtions which naturally ſolicited their attention: firſt, Was the act neceſſary? ſecondly, Is it likely to be effectual? thirdly, May it not produce greater evils than thoſe it is intended to correct? The two laſt I for the preſent will paſs over. But, will it be contended, that it is wiſe or neceſſary to extend the penal code of the country? eſpecially, if it appears the crime which the propoſed law is intended to puniſh, is rather on the decline than encreaſing. That ſuch was the caſe had been ably proved to the Houſe by very high authority, (Sir William Scott) to whom, Sir, I have already alluded. By that reſpectable and learned Gentleman it was clearly ſhewn, that during the laſt thirty years, caſes of adultery had conſiderably decreaſed in number. But if this decreaſing number of adulteries was compared with the encreaſed population, the encreaſed wealth, and the encreaſed facility of obtaining divorces (for the encreaſed population muſt have given riſe to a greater number of marriages, and the encreaſed wealth of the nation to that facility of obtaining divorces) muſt it not then be acknowledged by every candid and impartial mind, that the vice, ſo far from being encreaſed, is conſiderably diminiſhed? But we are told ſuch a vice ſhould not be permitted to exiſt at all. Moſt undoubtedly, Sir, the exiſtence of ſuch a crime is deeply to be lamented; but it cannot be checked or aboliſhed by the meaſure now under diſcuſſion. On the contrary, the very checks which it is intended to enforce, will rather encreaſe than diminiſh

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the evil. They would prevent the parties from marrying, and thus debar the man from the only reparation which it is in his power to make to the woman whom he had ſeduced and diſgraced; but the law of honour would here ſtep in a ſubſtitute, and often tend to diminiſh the crime, rather than encourage the committing of it. And after all, Sir, is it pretended that we are now attempting any thing more than a mere experiment; a deſperate experiment, indeed, wantonly to innovate on our penal code, while the vice we are ſo anxious to rectify is proved to be decreaſing? This ſeparation, which a man of nice feeling and delicate honour, is prompted to make to an injured woman, is repreſented by an honourable Gentleman (Mr. Wilberforce) as holding out an evil example, and that hon. Gentleman ſeems more inclined to prefer the bold appearance of open, undiſguiſed vice. This ſurely, Sir, was a ſtrange kind of morality; and with whatever cant of purity it was preached up, the man who holds ſuch moral doctrine muſt have a large ſtore of religion in his heart to reconcile it to his conſcience. What kind of heart, and what kind of morality, muſt that of the man be who can behold, without emotion, a fair though frail woman, armed with every accompliſhment that can attract affection or command reſpect, expoſed through his fault to the ſcoffs and taunts of a cenſorious world, a prey to ſhame and deſpair, and driven to proſtitution or into exile? He who could act ſuch a part muſt doubtleſs, Sir, be guilty of a groſſer violation of the moral feelings, than he who is guilty of the crime againſt which the hon. Gentleman has ſo bitterly inveighed. We were told, and truly told, that at the preſent moment the faireſt example of the oppoſite virtue was held out to the nation by the higheſt ſituation in it. No one, Sir, is more ready than I am to admit, that the faireſt example of every virtue is ſet to us from the throne; we muſt alſo admit that our women never exhibited a more blameleſs conduct than they do at preſent; and he who would compare, in point of purity, the days of Charles II. with the times we live in, muſt know, or at leaſt we all know, that ſuch a compariſon is belied by all our hiſtories. Never did there exiſt more decorum, more propriety, more delicacy and dignity, than what now marks the character and diſtinguiſhes the complexion of the age. To attempt therefore to ground a legiſlative act on an aſſertion that the female morals were now more corrupt and more abandoned than at former periods, would be to throw an unmannerly and an unmanly ſlander on the cha-

racter and conduct of our women. Are we then to be told that the brigheſt example which ſhines upon all England from the higheſt ſphere, is to be without any effect in chaſtening our morals? Are we to be told that no wholeſome effect is to be produced by the example of the many living and lovely proofs of the conjugal affection and fidelity of the Royal Pair? Are we to be told, that after the end of forty years, during which her Majeſty has ſhone forth the moſt perfect model of female virtue, that the example of all this excellence, from the higheſt ſtation, is of no avail, and that now a law muſt be introduced to check the growing corruption of the ſex? But the hon. Gentleman (Mr. Wilberforce) ſays, that a huſband's bad character and temper, might often be reclaimed by the perſevering indulgence or forbearance of an affectionate wife, but that the ſeducer ſteps in, and ſtops the progreſs towards amending his conduct. There were very few ſuch examples. The hon. Gentleman alſo ſays, that the criminality of ſuch ſeduction cannot be adequately puniſhed by damages. If the huſband be proved to have neglected or ill-uſed his wife, no damages are given, if not, how does the preſent bill go to puniſh? Beſides, talking of exemplary damages in civil actions, is only talking exemplary nonſenſe. Who told juries that they ſhould give vindictive damages? Who told juries that they were to look upon themſelves and act as the *cuſtodes morum* of the country? I do not preſume to aſſert by whom ſuch doctrines are inculcated, but I do ſay, that whoever inculcates them is reſponſible for many of the evil conſequences aſcribed to the crime we are endeavouring to aboliſh, and the means of aboliſhing which we are aſſured will come out from the Committee in full perfection. This, Sir, reminds me of the ſaying of the crafty tyrant in the play, "Judge me not from what I am, but from what I ſhall become." Let the bill go into a committee, and then you ſhall ſee how changed it will come out —impoſſible—it is too monſtrous to be ſuſceptible of any correction. At one time it is ſaid, the whole of a man's fortune is not ſufficient to retrieve the injury he has done; 20,000l. damages are recommended, but the jury grants only 2000l. But another opportunity is taken, and more vindictive damages are given. As to the clauſe which conſtitutes adultery a miſdemeanour, I cannot ſee the grounds for it in the opinion of thoſe who are ſo anxious to eſtabliſh an harmonious whole in the ſyſtem of our laws. If the ſeduction of a wife is to be made a miſdemeanour, why not alſo make

make the ſeduction of a daughter liable to the ſame puniſhment? Elſe, Sir, what becomes of this boaſted harmonious whole? The public is ſaid to be wronged; yet, it depends only upon an individual to proſecute the guilty perſon; and if the individual is not inclined to proſecute, which often will be the caſe, what again becomes of this harmonious whole? And who is this proſecuting individual to be, but the very perſon who is often ſuſpected of acting in colluſion between his wife and the adulterer? Beſides, in almoſt no caſe will the huſband attempt to proſecute, when he knows that he muſt ſubmit to a croſs-examination, and perhaps have all his foibles and lapſes laid open to the public. Indeed, ſcarcely any huſband will be induced to proceed on any ſuch indictment, and then there will be no divorce. As no one of the intended objects appear probable to be accompliſhed by this, why then daſh into this deſperate experiment? For who can ſay there is any change in the morals of our women? Who, on the contrary, may not ſay that their conduct, in every reſpect, is not ſo exemplary as to form a ſtriking contraſt with that of all other times and all other countries? Should there again offer another opportunity for diſcuſſing this ſubject, which, however, I ſincerely deprecate, I ſhall expreſs my mind on it, Sir, more at large. In the mean time, Sir, I am bold to ſay, that of all the corrections that were ever deviſed for any vice, the preſent is the moſt impolitic and unjuſt, the moſt cruel, inhuman, and unchriſtian that can well be imagined; and ſevere in the inverſe proportion of the guilt it is intended to puniſh: it is more deſtructive of the practice and principles of the proteſtant church, and ſure to multiply the very evils which it is propoſed to repreſs. Viewing it, Sir, in all theſe lights, I muſt give the motion my direct and determined negative.

Mr. *Wilberforce* roſe to explain. He denied that he had uttered any thing to juſtify the inferences drawn by the hon. Gentleman who had juſt ſat down, or that any expreſſions had eſcaped him tantamount to that attributed to him reſpecting the ſituation of the unhappy female who ſhould be the victim of adultery. He repeated his cenſure of that ſpecies of moral forgery which, under the name of honour, would confound the meaning of common honeſty, and was proceeding to comment on the general conſequences of the crime of adultery, when he was interrupted by a cry of 'Order' and 'Queſtion.'

The *Speaker* ſuggeſted to the hon. Gentleman to confine himſelf to explanation.

At 11 o'clock the Houſe divided, when the numbers were,

Ayes - - 104 | *Noes* - - 143

Majority 39

As this negative only ſuſpended the proceeding further in the bill that day,

Mr. *Sheridan*, after a ſhort preface, next moved, That the bill be committed on that day three months, which being carried without a diviſion, the meaſure is conſequently loſt for the preſent ſeſſion. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JUNE 11.

The Teſtamentary Deviſe Bill was read a third time and paſſed.

The ſeveral bills on the table were read a ſtage each.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 11.

Mr. *Plumer* preſented a petition from certain owners and occupiers of mills in the vicinity of London, againſt the bill for the incorporation of certain perſons into a company for manufacturing flour-meal and bread. Ordered to lie on the table till the ſecond reading of the bill, and that the petitioners be heard by counſel againſt the ſaid bill. Ordered alſo that counſel be heard in favour of the bill againſt the ſaid petition.

Mr. Plumer ſaid the ſecond reading of the bill now ſtood fixed for Friday, and as the petitioners would ſcarcely have time to prepare themſelves as ſoon as that day, he hoped the noble Lord near him (Lord Hawkeſbury) would conſent to poſtpone it till Monday.

Lord *Hawkeſbury* ſaid, that as an order had been made that another claſs of petitioners ſhould be heard by counſel againſt the bill, he would not make any invidious diſtinction by oppoſing this at preſent, but he gave notice that he ſhould, on the ſecond reading, when the motion was made that counſel be called in, oppoſe their being heard againſt the principle of the bill. He ſaw no reaſon for poſtponing the order for the

ſecond

ſecond reading from Friday to Monday, on the ſcore of the petitioners' counſel having time to prepare themſelves, becauſe he ſhould certainly oppoſe their being heard; but if it would accommodate the hon. Gentleman perſonally, he would agree to poſtpone it.

After ſome ſhort converſation between Mr. Baker, Lord Hawkeſbury, and Mr. Plumer, in the courſe of which it appeared that Mr. Baker was obliged to attend on Friday a review of the volunteer corps to which he belongs in Hertfordſhire, and that he wiſhed to be preſent at the ſecond reading of the bill, Lord Hawkeſbury conſented to poſtpone it till Monday.

The *Chancellor of the Exchequer* brought up an addreſs from both Houſes of Parliament in Ireland, informing his Majeſty that they had agreed to the countervailing duties, propoſed and agreed to by both Houſes here. Ordered to lie on the table for the peruſal of the Members.

Mr. *Jones* aſked the Chancellor of the Exchequer when he intended to lay before the Houſe the information he had promiſed, relative to our ſituation with the Emperor of Germany.

The *Chancellor of the Exchequer* ſaid that he had before the receſs informed the Houſe, that very ſhortly after the holidays, he hoped to be able to lay before them a convention between his Majeſty and the Emperor of Germany. That convention had not yet arrived, but he was in hourly expectation of it. He aſſured the hon. Gentleman, and the Houſe, he was as eager to lay this information before the Houſe as the hon. Gentleman could be to hear it, and would do ſo the earlieſt moment in his power after he received it?

General *Walpole* aſked the Chancellor of the Exchequer if he intended, and when, to bring on the motion he had promiſed reſpecting the Slave Trade?

The *Chancellor of the Exchequer* ſaid it certainly had been his intention to bring it on, but a very great preſs of moſt important buſineſs had prevented him, and the ſeaſon was now too far advanced to take it up during the preſent ſeſſion.

The order of the day for a Committee on the Bill relative to the diſpoſal of the property of their Majeſties, was deferred till Friday, on account of the want of ſome neceſſary information.

The Bill relative to Papiſts was read a ſecond time, and ordered to be committed on Tueſday next.

In purſuance of the report of a Select Committee, leave was given to bring in a bill for continuing an act paſſed laſt ſeſſion,

ſeſſion, for allowing the importation of corn and other proviſions free from duty.

The order of the day being read for the Houſe to conſider the re-committed bill for the better ſettling of diſputes between the maſters and miſtreſſes of families and their menial and domeſtic ſervants,

Mr. *D. P. Coke* moved, That the Speaker do now leave the chair.

Mr. *Jolliffe* ſaid that he highly diſapproved of the bill, and that he was convinced, if paſſed into a law, it would be attended with the worſt conſequences. It was ſtrange that the hon. and learned Gentleman had ſtated no reaſon for adopting a meaſure which was ſo univerſal in its operation, and the effects of which would be ſo very important. The bill would be prejudicial both to maſters and ſervants. What could be a greater hardſhip than to be obliged to go before a magiſtrate at whatever diſtance he might reſide? There was no ſimilarity between domeſtic ſervants and ſervants of huſbandry; and to ſettle the diſputes ariſing between the former and their maſters, the juſtices muſt be altogether incompetent. The magiſtrates might be ſufficiently good judges of whether a ploughman took proper care of his horſes, and did his work properly in the field, but to determine diſputes between a miſtreſs and her maid, whether the dairy was properly attended, or whether the kitchen and other utenſils were kept clean, it would be neceſſary for them to ſummon a jury of matrons. His chief objection to the bill, however, was, that it encroached upon the trial by jury, and changed the mode of adminiſtering juſtice in the country. It was no new meaſure; it had been propoſed ten or twelve years ago, when he heartily diſapproved of it, and the more he had thought of it ſince, its impolicy had appeared the more glaring.

Mr. *Buxton* ſaid that great inconveniencies were found to ariſe from the preſent laws with regard to menial ſervants, and he had no doubt that the bill would prove a remedy to many of the worſt of them. The advantage accruing from it to ſervants would be great, as they would have it in their power to recover their wages without a long, troubleſome, and vexatious litigation.

Mr. *D. P. Coke* and Mr. *Shaw Lefevre* ſupported the bill.

Mr. *Sheridan* ſaid that the bill would place ſervants, who are entitled to our protection in a high degree, in the moſt degrading ſituation, and would enable their maſters to vex and oppreſs

oppreſs them. The power of withholding a character was ſufficient for all good purpoſes, and as this bill was quite unneceſſary, and would prove highly inexpedient, he moved that it be re-committed this day three months.

The *Speaker* ſaid that this motion was irregular, and could not be put.

After ſome farther converſation between Mr. Jolliffe, Mr. Lefevre, the Attorney-General, and Sir W. Geary, the Houſe divided, when there being only 25 Members preſent, the Houſe was adjourned.

HOUSE OF LORDS.

THURSDAY, JUNE 12.

Paſſed four public and ſeveral private bills to the Commons.

The bills on the table, and ſeveral bills brought up from the Commons, were forwarded each a ſtage. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 12.

The order of the day for the ſecond reading of the Windſor Road Bill, was poſtponed to this day two months.

A meſſage from the Lords ſtated that their Lordſhips had agreed to the Lottery Bill, the Rye Duty Bill, the Oil and Blubber Bill, and the Leith Harbour Improvement Bill.

The City of London Small Debts Bill was ordered to be read a third time on Tueſday next.

The report of the Committee on the Colliers and Coal Mines Bill was brought up, and the bill ordered to be read a third time the next day.

The Horſe Hides Bill, and the Scotch Judges' Salary Bill, were read a third time, and paſſed.

The further conſideration of the report of the Committee on Mr. Macdowall's petition, was poſtponed till Wedneſday next.

The Menial Servants Bill was ordered to be re-committed the next day.

On the motion of Mr. *Roſe*, an account was ordered of the produce of the duties on perfumeries, for the three firſt years after it was impoſed, (viz. from the 1ſt Auguſt, 1786, to 1ſt Auguſt, 1789), and for the three laſt years, (viz. from 1ſt Auguſt,

1ſt Auguſt, 1796, to 1ſt Auguſt, 1799), as far as the ſame can be made up.

Mr. Stedman from the Tax-office, preſented this account at the bar, which being laid on the table,

Mr. *Roſe* moved, That the Houſe ſhould the next day reſolve itſelf into a Committee, to conſider of the act impoſing a duty on perfumery. He ſaid, that it was his intention to move in the Committee for the repeal of that duty, becauſe it was found to have frittered away of late almoſt to nothing; inſomuch, that though the produce of it, during the three firſt years was, (as Gentlemen would perceive from the account which had juſt been preſented) 18,000l. yet, during the three laſt years, with every attention to management, not more than 4000l. was collected from it. The order for the Committee was now made.

The 27th of Geo. III. being read, Mr. *Roſe* gave notice that he would move, on Friday, in a Committee, for the repeal of the duty on waſte paper, impoſed by the ſaid act.

The Duchy of Lancaſter Common Pleas Bill was read a ſecond time.

A bill was ordered for repealing the duty on rape and linſeed imported in neutral bottoms.

On the motion of Mr. *Roſe*, an inſtruction was referred to the Committee appointed to prepare the Stamp Duty Bill, that a clauſe be inſerted in that bill, authorizing the commiſſioners of ſtamps to make certain allowances to perſons holding ſtamped policies of inſurance not uſed, or in caſes where the riſk has not been incurred, and for exempting yearly leaſes of tenements from the ſtamp-duty of 10s. now paid.

The Houſe in a Committee agreed to ſeveral verbal amendments in the Land-Tax Commiſſioners Bill, which was ordered to be reported the next day.

The Cape of Good Hope Wine and Spirits Duty Bill, the Kid Skins Duty Bill, the amended Stamp Duties Bill, and the Wort and Waſh Duty Bill, were brought up, read a firſt time, and ordered to be read a ſecond time the next day.

The Hampſhire New Foreſt Bill was ordered to be committed on Wedneſday next.

The other orders of the day were deferred.

Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, JUNE 13.

The Houſe met at two o'clock, when they proceeded to buſineſs.

The Income Tax Regulation Bill, and various others, were read a third time and paſſed.

The other bills on the table paſſed a ſtage each.

The Commons had ſeveral private bills to bring up, but before they made a Houſe the Lords had adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, JUNE 13.

The Lord Mayor, Colonel Gaſcoigne, and Sir Francis B. Jones, preſented petitions from the journeymen workmen within the diſtricts which they reſpectively repreſent, praying for the repeal of the Act paſſed laſt Seſſion of Parliament, for preventing and puniſhing combinations among journeymen workmen. Ordered to lie on the table.

Mr. *Yorke* aſked the hon. Baronet, who preſented the laſt petition, whether he meant to bring forward any ſpecific motion upon the ſubject this ſeſſion?

Sir *F. B. Jones* replied that he did. The grievances of theſe unfortunate men called aloud for ſpeedy redreſs.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Income Tax Regulation Bill, and ſeveral private bills, without amendment.

The report of the Committee, on the petitions of certain perſons, praying for aid to erect an eſtabliſhment for the re-manufacturing of waſte paper, was brought up, read, and agreed to; and a bill ordered in purſuance of it to be brought in.

The Houſe having gone into a Committee to conſider the report of the Committee on the petition of Thomas Foden, the diſcoverer of mineral ſtarch,

Mr. *Peel* entered into a detail of the nature of the diſcovery, and the great advantages with which it would be attended. He ſhould move on a future day, that an humble addreſs be preſented to his Majeſty, praying him to allow Mr. Foden a ſum of money from the civil liſt, to enable him to proſecute his experiments. At preſent he ſhould content himſelf with moving, That it was the opinion of the Committee

that the plan of making flour from gypſum would be attended with the moſt important advantages to this kingdom.

The reſolution was unanimouſly agreed to, and, the Houſe being reſumed, was ordered to be reported on Monday.

The Bank Buildings Bill was ordered to be read a third time on Monday.

The Executory Deviſes Bill was read a ſecond time, and ordered to be committed on Monday.

The Houſe then went into a Committee to conſider of the ſalaries of the clerk and clerk aſſiſtant.

The *Speaker*, in a ſpeech of neatneſs, opened to the Committee the nature of the proceedings to which it was his wiſh particularly to call the attention of gentlemen. He took a view of the general ſtatement of the account then before the Committee, and having named the ſums ſpecially ſtated, as the amount of the ſalaries and fees of the clerk, and clerk aſſiſtant, he ſuggeſted the plan for regulating thoſe fees, &c. in future, which it was his intention to recommend, as the moſt conſiſtent with the intereſts of the parties concerned, and moſt worthy of the liberality and wiſdom of Parliament. The average income of the chief clerk, including fees for 10 years, was about 8,542l. per ann. but of this ſum Mr. Hatſel allowed Mr. Tyrwhitt formerly, and allows Mr. Lee, both clerk aſſiſtants, one half. The amount of the ſalary and fees of the clerk aſſiſtant was, on the average of the ſame period, about 1,162l. per ann. The outlines of his plan was, that three commiſſioners be appointed, to whom the fees and emoluments of the clerk and clerk aſſiſtant ſhall be aſſigned for management, and that thoſe commiſſioners ſhall pay to the clerk and clerk aſſiſtant ſuch annual ſalary as may be hereafter agreed on by Parliament. It is propoſed that the ſalary of the chief clerk ſhall amount to 3,500l. per ann. during the firſt five years, and that on the expiration of that period, an addition of 500l. per ann. ſhall be made. The ſalary of the clerk aſſiſtant to be 1500l. per ann. during the firſt five years, but to be alſo increaſed by an addition of 500l. more per ann. at the expiration of that period. And if the clerk aſſiſtant ſhould be in that ſituation fifteen years, and afterwards ſucceed the chief clerk, he is then to enter on the receipt of 4000l. a year, without ſerving five years, as ſtated in the caſe above ſpecified. After theſe ſalaries have been thus provided for, there would ſtill remain a diſpoſable fund, and this the right hon. Gentleman wiſhes to be partly appropriated to make up deficiencies to the ſubordinate officers of the

the Houſe, whoſe ſalaries are at preſent ſmall, and whoſe fees are particularly fluctuating. In addition to which, he meant to propoſe that a certain allowance annually ſhould be made to ſuch officers of the Houſe as became old in its ſervice, or are otherwiſe incapacitated by illneſs to diſcharge the duties of their ſituations. Having dwelt ſhortly on theſe ſeveral topics, the right hon. Gentleman obſerved, that ſo ſincerely did he wiſh that the civil liſt and the public might be diſburdened of any charge on account of the whole eſtabliſhment of the officers of the Houſe of Commons, that no exertion ſhould be wanting on his part to produce ſo important a change. The return of peace and other probable circumſtances were likely to raiſe an addition of fees to render that change practicable. Having dwelt at great length upon the probable advantages of this plan, he concluded by moving, That the Chairman be directed to move for leave to bring in a bill to eſtabliſh certain regulations in the offices of the Houſe of Commons.

After ſome obſervations from Mr. Abbot, the motion was agreed to, the Houſe was reſumed, and the report ordered to be brought up on Tueſday.

The Houſe having reſolved itſelf into a Committee of the whole Houſe, to conſider the re-committed Menial Servants' Bill,

The right hon. the *Speaker*, after paying many high encomiums on the hon. Mover of the bill, expreſſed doubts of its expediency—ſaid it would be wrong at any rate to proceed farther in it the preſent ſeſſion, and moved, That the chairman do leave the chair.

Mr. D. P. *Coke* ſaid, that, ſince ſuch was the diſpoſition of the Houſe, he ſhould abandon the bill for the preſent ſeſſion; but gave notice that early in the next he would move for a Committee to conſider the laws with regard to Menial Servants.

A deſultory converſation took place between Mr. Buxton, the Speaker, Mr. Abbott, Dr. Lawrence, Mr. Jolliffe, and Mr. Coke, which becoming rather warm between the two latter gentlemen, was put a ſtop to by Mr. W. Dundas ſpeaking to order.

The motion of the Speaker was then put, and carried without a diviſion.

The Houſe being reſumed, the Mine and Colliery Regulation Bill was read a third time and paſſed.

The Soldiers' Bread Bill was committed, and ordered to be read a third time on Monday.

In a Committee of the whole Houſe it was reſolved, on the motion of Mr. Roſe, that the Duties on Perfumery, ſhould be repealed.

The Eaſt India Judicature Bill was read a ſecond time, and ordered to be committed on Tueſday.

The Houſe went into a Committee to conſider the duties payable on waſte paper imported into this kingdom, and came to a reſolution, that it was their opinion that the ſaid duties ſhould be ſuſpended. The Report was ordered to be received on Monday.

Mr. *Bragge* moved for leave to bring in a bill to explain and amend the 39th of Geo. III. with regard to the warehouſing of Eaſt India goods. Leave granted.

A perſon from the cuſtom-houſe preſented ſeveral public accounts. Ordered to be printed.

The Cape of Good Hope Wine and Spirits Bill, the Brewery Regulation Bill, and the Kid Skins Importation Bill, were read a ſecond time, and ordered to be committed on Monday. Adjourned.

HOUSE OF LORDS.

MONDAY, JUNE 16.

The Houſe, in a Committee of Privileges, heard Mr. Adam, as counſel for Mr. Kynaſton, on behalf of his claim to the Powes Peerage; after which,

The *Lord Chancellor* ſuggeſted the propriety of making an order for the parties to be let in, to prove whether there were any heirs to the Earl of Worceſter, and that due time ſhould be allowed for their attendance. His Lordſhip therefore made a regular motion for that purpoſe.

The Earl of *Radnor* objected, on the ground that it was impoſing an unneceſſary trouble and delay, to the great inconvenience of Mr. Kynaſton, the claimant.

The *Lord Chancellor*, ſtated in explanation, that it was an uſual thing for the Houſe to make ſuch an order, in caſes of claims of titles that had lain in abeyance, and that under ſuch orders, parties had come in, and eſtabliſhed the ſort of proof in queſtion. It was therefore due from the juſtice of the Houſe to make ſuch an order.

The Committee divided—Contents 7 | Non-Contents 4.

The

The further proceedings in the hearing of this claim was then adjourned till the next day se'nnight.

The Duke of Richmond's Eſtate Bill, being in part a public, and in part a private bill, the public part went through a Committee of the whole Houſe, and was reported. The private part was, on motion, referred to a Committee above ſtairs next Wedneſday.

The bills on the table were read a ſtage each.

Thirteen bills were brought up from the Commons, and preſented by Sir William Dundas, Mr. Dickenſon, Colonel Lowther, Colonel Gaſcoigne, Mr. Mainwaring, and others, and were read a firſt time.—Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 16.

The Waſte Paper Bill was read a firſt time, and ordered to be read a ſecond time on Friday next.

Mr. *Yorke* gave notice, that the next day he ſhould move for leave to bring in a bill to explain and amend the 31ſt of the King, reſpecting the Aſſize of Bread.

Mr. *Secretary Dundas* ſaid that he had already informed the Houſe of his opinion reſpecting the coaſts of Cormandel and Malabar being put upon the ſame judicial eſtabliſhment as Bengal. He had therefore brought in the bill, which had been read twice, and he gave notice that he ſhould the next day move to make ſeveral alterations in it in the Committee.

The *Chancellor of the Exchequer* brought up an exemplification, under the great ſeal of Ireland, of the act lately paſſed there, for regulating the Repreſentation of the Lords Spiritual and Temporal, and the Commons, to ſit in the United Parliament. He alſo gave notice that he would the next day move for leave to bring in a bill, founded on the reſolutions which had paſſed both Houſes of Parliament in this country relative to an Union with Ireland.

Colonel *Stanley* brought up the report and reſolutions relative to the advantages of the plan for making flour for ſize and paſte, from gypſum, and other ingredients; and he moved that an humble addreſs be preſented to his Majeſty, praying that his Majeſty would be graciouſly pleaſed to give directions for a further enquiry, if it could be made to anſwer the purpoſes of all manufactories, at reaſonable prices; and if it did, to order ſuch ſum or ſums of money to be paid in advance as may be neceſſary for carrying it into effect.

The

The reſolution of the Committee upon the re-manufacturing of Waſte Paper, being read,

Mr. *Jekyll* wiſhed to know whether this was to be done by means of a menſtruum diſcharging the writing, or whether it was reduced to pulp and re-manufactured He thought the former was likely to be attended with dangerous conſequences, and alluded to a caſe where a record had been ſo altered, by having the writing diſcharged, and the ſtamp and ſeal left.

Mr. *Adams* ſtated, that it was done by reducing the maſs to a pulp.

The Rape-ſeed Bill, the Corn Importation Bill, and the Neutral-ſhip Importation Bill, were read a firſt time, and ordered to be read a ſecond time the next day.

INCORPORATION COMPANY.

The order of the day for the ſecond reading of the Bill for the incorporation of certain perſons for manufacturing flour, meal, and bread, being read,

Lord *Hawkeſbury* ſaid that this Bill was ſuppoſed to affect in the firſt part the Millers, and in the ſecond the Bakers. In favour of Bakers he ſhould be very willing to make every alteration in the Bill that could be ſuggeſted; and, as ſome papers had been publiſhed which contained miſrepreſentations of the Bill, he would beg leave to mention the extent to which the Bill was intended to go. It was his intention to limit the quantity of loaves this Company ſhould bake, and to confine them to the manufactory of ſtandard bread. It was ſaid that this Bill went to eſtabliſh a monopoly, but that could not be the caſe, as the extent of the manufacture was to be no more than one hundred and twenty thouſand ſacks, which was only a tenth part of the conſumption of the metropolis. That there were one hundred and ſeventy thouſand ſacks of flour ſaved to the public by the Albion Mills, during the five years they exiſted; and there was a difference in the price of wheat of 7d. farthing per peck during that five years and the preceding five years, compared with the twelve years before that period. The united Mills at Birmingham, his Lordſhip ſaid, have ſupplied the people with bread at 13d. the quartern loaf, when thoſe in the metropolis paid 16d. With reſpect to the Millers, he thought the Bill ought to go to a Committee, and there he had no doubt it might be ſo altered and modified as to make it agreeable to all parties; and, as the Millers deſired it, he ſhould not oppoſe their being heard by Counſel.

Mr.

Mr. *Plumer* ſaid, that as the noble Lord had ſaid he would not oppoſe Counſel being heard in this ſtage of the Bill, it would not be neceſſary for him to ſay any thing on that ſubject. He begged, however, to obſerve, that in 1784, the gentlemen of the Albion-Mills Company applied to the Crown for a charter, but the then Attorney and Solicitor-General adviſed his Majeſty not to grant it. He denied that the relative price of wheat was lower during the five years of their exiſtence than it was both before and after that period. He was glad, however, that counſel were then to be heard againſt the Bill.

The *Chancellor of the Exchequer* ſaid, that his noble Friend had not agreed that Counſel ſhould then be heard againſt the Bill, and it was his own opinion they ought not. His noble Friend had informed the Houſe, that he propoſed to make ſuch regulations and alterations in the Committee, as would, in all likelihood, make it agreeable to all parties, and, if ſo, the hearing of Counſel might prove unneceſſary. It would, therefore, be ſaving the time of the Houſe, and anſwer every purpoſe of the petitioners, if they were to be heard, to have Counſel heard on the report.

Mr. *Plumer* differed in opinion with the right hon. Gentleman who ſpoke laſt. He was againſt the principle of the Bill, and Counſel were to be heard againſt it on that ground. It was neceſſary, therefore, he thought, that Counſel ſhould then be heard, becauſe by ſo doing the Houſe would have the benefit of their argument when they went into the Committee.

Mr. *Hobhouſe* ſaid, that in conſequence of this Bill having been brought in, the Millers all around the country had taken the moſt violent alarm that their property will be greatly injured by it. They have diſcontinued their uſual purpoſes, and if they ſhall do ſo for any length of time, the greateſt inconveniencies will be felt from it by the country. This was, therefore, a ſtrong reaſon for Counſel being heard immediately. Though there was a reduction of price in the Albion-Mills, he contended it was at the expence of the ruin of the individuals who compoſed that Company.

Lord *Hawkeſbury* ſaid that it was his wiſh that Counſel ſhould be heard on the report; but if the Houſe thought otherwiſe he ſhould not oppoſe their being heard then.

Mr. *Jones* ſaid, that, ſhould this Bill go the length it was intended, it would be the ruin of many families. The ſtate of the Millers and Bakers was very much miſapprehended. Their

Their profits were very ſmall, in compariſon of every other trade; and the Bakers in particular were of the greateſt ſervice to the poorer claſſes of people, by giving them credit. This mighty Company would only ſell their bread for ready money. The agents of the Albion Mills did not buy ſo cheap as had been imagined. He was clearly of opinion the principle of the Bill was bad, and that Counſel ſhould be heard againſt it in the preſent ſtage.

The *Chancellor of the Exchequer* ſaid this was not a queſtion of hearing the parties or not, but whether they ſhould be heard now or on the report? He was clearly of opinion, notwithſtanding all that had been ſaid on the ſubject, they ought to be heard on the report.

Mr. *Tierney* thought it would be more convenient to hear reaſons againſt it now. He condemned the meaſure of bringing in a Bill of this nature at ſo late a period of the ſeſſion, when many gentlemen had left town. Such a Bill could not be neceſſary but on the ground of improper practices on the part of the Millers, and not one word of argument had been advanced to ſhew any ſuch thing even in the ſmalleſt degree. It was a very unfair meaſure with regard to the Millers, he ſaid. Theſe incorporated Gentlemen could only loſe their ſhare of 25l. a man, while their competitors may loſe their all. The noble Lord oppoſite to him had ſaid this was not a monopoly, becauſe it was only a tenth part of the conſumption. He, on the contrary, contended, that a tenth of the conſumption was a very large monopoly, and might be turned to the moſt miſchievous purpoſes. In fact, he ſaid, this was a meaſure which the Houſe ought not by any means to adopt, unleſs a very ſtrong caſe was made out ſhewing a neceſſity for it The noble Lord, he ſaid, did not make a proper calculation reſpecting the cheapneſs of the Albion Mills; when he took the five years preceding their eſtabliſhment and the five years they exiſted as his criterion, he ought to have taken alſo the five years ſubſequent. He contended the cheapneſs of flour was not to be attributed to the Albion Mills. He had no doubt but there would be conſiderable ſpeculation as to theſe ſhares of 25l. each, and that ſhrewd and ſpeculative men will buy up the ſhares of others till ſo many get into few hands as to enable them to ſet their own price on their commodity. The prejudices againſt the Millers and Bakers were, he ſaid very ill founded: Their profits were very ſmall. This Bill was ſaid to have for its object the reducing of the price of Bread; but he could ſee

no ſuch conſequence likely to reſult from it. It was brought in at this late period of the ſeſſion; and, before the ovens and other neceſſary buildings could be provided by this company, there was every reaſon to hope the preſent ſcarcity will have ceaſed; ſo that the object muſt be ſomething elſe than was pretended. He thought, indeed, it would have a direct contrary effect to reducing the price of bread. He thought it would be productive of very injurious conſequences; he condemned the principle altogether, and would vote for the hearing of Counſel againſt it immediately.

Colonel *Elford* ſaid, he would vote for the ſecond reading, in order to vote againſt hearing Counſel in this ſtage of the buſineſs, as he thought that the Bill might be modified in the Committee ſo as to render it agreeable to all parties.

Mr. *Roſe* ſaid, he had never heard of any fraud on the part of the Millers, nor did he impute any to them, but thought it perfectly competent to a number of gentlemen to aſſociate for the purpoſe of making flour cheaper. As to the objection made by the honourable Gentleman relative to the purchaſe of ſhares, there was a clauſe in the Bill, he ſaid, that no perſon ſhould hold more than 40 ſhares. He thought Counſel ſhould be heard on the report: becauſe their objections to the Bill now can be only to the Bill as it is.

Mr. *Tierney* ſaid, if theſe gentlemen choſe to aſſociate, let them do ſo; but do not give them an incorporation by Parliament.

Mr. *Percival* ſaid, he ſhould vote for the ſecond reading: but he was ſo doubtful as to the principle of the Bill, that he ſhould not conſider himſelf as pledged to ſupport it in conſequence of that vote. He was of opinion that Counſel ſhould be heard on the report.

Mr. *Nicholls* ſaid the Houſe ought to be very cautious in giving an incorporation to a body of gentlemen for a manufactory of ſuch articles as are mentioned in the preſent Bill. As the trade in theſe articles is now carried on, monopoly is abſolutely impoſſible from the numbers employed in the corn trade. His objection was to the principle of the Bill, which was incorporation; and therefore he ſhould vote for Counſel being heard at preſent.

Mr. *W. Dundas* ſaid that Counſel might be heard againſt the principle of the Bill as well on the report as now, and therefore he would vote againſt their being heard at preſent.

Mr. *Biddulph* ſpoke in favour of the Bill.

Sir *W. Pulteney* ſaid the objection to this Bill was, that it

would render bread ſo cheap as to prevent bakers from going on with their trades. He was afraid this company might break all the ſmall bakers, and then take advantage of the want of them, and by that means have the price of theſe neceſſary articles of life, flour, wheat, and bread, in their own power and controul. The miſchief was, that when once a great body is eſtabliſhed by charter, it was very difficult to get another charter. Thoſe who had been ſo favoured, were always very ſtrenuous to prevent others from obtaining thoſe advantages they themſelves enjoyed. He had no objection to a general charter, but was averſe from theſe ſingle incorporations and putting ſuch articles within the power and under the controul of ſuch a company. He ſhould like to hear Counſel before going into a Committee, and perhaps after the Committee alſo, for he thought the Houſe ought to hear every thing that could be ſaid on the ſubject before they agreed to paſs ſuch a Bill as this.

Mr. *H. Thornton* ſaid. he thought that entruſting a tenth part of the conſumption of flour, meal, and bread uſed in the metropolis into the hands of a body of men, would be giving them a dangerous advantage. He was therefore againſt the principle of the Bill, and for hearing Counſel.

Mr. Alderman *Curtis* ſaid he thought a competition was wanted; but he was an enemy to all charters.

On the queſtion for the Bill being read a ſecond time, the Houſe divided,

Ayes - - - 55 | *Noes* - - - 27

Another diviſion took place on the queſtion, that Counſel be called in.

Ayes - - - 28 | *Noes* - - - 47

The Bill was then ordered to be committed on Friday.

In a Committee of Supply, a reſolution was moved and agreed to, for a certain allowance to be made to the Subalterns in the Militia, in time of peace.

The report was ordered to be received the next day.

On the motion of Mr. Mainwaring, the further conſideration of the Poor's Relief Bill of the Metropolis was deferred till Wedneſday.

The Committee upon his Majeſty's Meſſage reſpecting the Union was deferred till the next day, after which the other orders of the day were deferred, and the Houſe adjourned.

HOUSE

HOUSE OF LORDS.

TUESDAY, JUNE 17.

On the queſtion that the Pigott Diamond Bill be read a time,

The Duke of *Norfolk* obſerved, that no reaſon whatever had been aſſigned for the propriety of ſuch a bill He diſapproved of all private lotteries in general; and though Parliament had given its ſanction to ſuch meaſures, it was chiefly on the principle of relieving individuals, who had expended a conſiderable ſhare of their property in promoting the arts. This was the caſe with Macklin and Sir Aſhton Lever. But in the preſent caſe, it was different; this was breaking in upon all the rules of commerce. A man thought proper to purchaſe a diamond, and then wiſhed to raiſe the ſum of 22,000l. upon it from a giddy public. He wiſhed to hear ſomething ſaid in defence of this bill, before he moved for its rejection; but as he heard nothing ſaid upon it, he would move that it be read a third time on Thurſday ſe'nnight. Ordered.

The Duke of *Portland* delivered a meſſage from his Majeſty's, ſubmitting to the Houſe certain conſiderations touching the right of his Majeſty to deviſe by will on his demiſe, the perſonal property purchaſed by his Majeſty, and alſo the the right of her Majeſty to deviſe by will on her demiſe, the perſonal property purchaſed by her Majeſty, ſince doubts had ariſen as to their Majeſty's rights in queſtion being affected by the bill preventing the alienation of Crown Lands, and deſiring that the Houſe would concur in ſuch meaſures and proviſions as to them the nature of the caſe ſhould appear to require.

An addreſs was then preſented, thanking his Majeſty for his gracious communication, and aſſuring his Majeſty of the readineſs of the Houſe to concur with his Majeſty's recommendation.

Several bills were brought up from the Commons.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 17.

The Eaſt-India juriſdiction and judicature bill was reported and ordered to be taken into further conſideration on Thurſday next.

The Bakers' indemnity bill was read a third time and paſſed.

Mr. *Mainwaring* brought up the report of the pawnbrokers' regulation bill, which being agreed to, and ſeveral new clauſes adopted, the bill was ordered to be recommitted.

Mr. *Charles Yorke* roſe to move for leave to bring in a bill to amend the 31ſt Geo. II. cap. 29. as far as it relates to the reducing the general aſſize of bread. His object was to ſettle the aſſize, and as the bill would confer no power on magiſtrates which could poſſibly lead to abuſe, he was not aware of any material objection to his motion. Having obtained leave to bring in the ſaid bill, it was preſented and read a firſt time.

On the motion of Mr. *Long*, the Houſe went into a Committee, to conſider of the 14th Geo. III. cap. 28. reſpecting the duties on hops.

A reſolution was moved and agreed to, for leave to bring in a bill for regulating the mode of collecting the duties, and for preventing frauds and abuſes in the hop-trade. The Houſe being reſumed, the report was received, and a bill ordered.

The *Chancellor of the Exchequer* moved that the ſeveral reſolutions and addreſſes relative to union, as well as the exemplification of the act of the Iriſh Parliament, laid yeſterday before the Houſe, might be read, which being done, he obſerved, that it was his intention then to move for leave to bring in a bill, founded on thoſe ſeveral documents. This bill would conſiſt of a recital of all the articles of Union as adjuſted and agreed on by the Legiſlatures of both countries, and would alſo contain a recital of the repreſentation act, with a clauſe expreſſing the approbation of the Parliament of Great Britain. In order to give full effect to the bill, it was likewiſe his intention to propoſe a clauſe, enacting that the objects in this bill ſpecified, ſhall be finally ratified, and ſhall conſtitute the baſis of an union between the kingdoms of Great Britain and Ireland, provided the Parliament of the latter country ſhall paſs an act agreeing to the ſame, before the 1ſt of January, 1801. He concluded by moving for leave to bring in a bill accordingly. The motion being agreed to, a bill was ordered.

MESSAGE FROM HIS MAJESTY.

The *Chancellor of the Exchequer* preſented at the bar of the Houſe, a meſſage from his Majeſty, which related to the ſubject

ject of the bill, lately brought in by Mr. Attorney General, but which was abandoned, owing to informality. The meſſage ſtated "That doubts having ariſen, reſpecting the right of his Majeſty, the Queen, and the Queen Conſort, to give a title to their perſonal property, his Majeſty recommended it to his faithful Commons to take ſuch meaſures as to them might ſeem fit for removing ſuch doubts, &c." The meſſage is to be taken into conſideration on Thurſday next.

ADULTERY.

Mr. *Percival* ſaid, that as the whole of the arguments on a recent occaſion urged both againſt and for the adultery bill went to ſupport the opinion that ſomething ought to be done to repreſs and puniſh the crime of adultery, he thought it not inconſiſtent with his duty again to agitate that ſubject. Many moſt excellent perſons ſincerely lamented the fate of that bill. It was thought indeed by almoſt all ſerious perſons in the country, that having once acknowledged adultery to be a crime, and having alſo admitted that the preſent laws are inadequate to puniſh, the Britiſh Legiſlature could not have acted more conformably to what was required by its known regard for the morals of the people, than in adopting the late bill into the penal code. But as the wiſdom of the Houſe rejected that meaſure, he roſe then to give notice, that if the ſubject was not taken up by abler hands, he would, early in the next Seſſion, move for leave to bring in a bill relating to adultery.

Mr. *Sheridan* obſerved, that however the hon. and learned Gentleman might have underſtood the arguments againſt the bill alluded to, for one, he moſt decidedly diſapproved not only of the bill itſelf, but alſo ſtudiouſly avoided making any ſuch admiſſion as was that evening quoted. In fact, he utterly denied that under the preſent circumſtances, any bill was neceſſary.

Mr. *Percival* contended that adultery being admitted to be a crime, the inference was this obviouſly, that it was alſo admitted a law for repreſſing and puniſhing adultery was neceſſary.

Mr. *Sheridan* preſented three petitions from the journeymen workmen of Briſtol, Plymouth, and Bath, praying for the repeal of the act of laſt Seſſion commonly called the Workman Combination Act.

Mr. *Sheridan* next obſerved, that as there were ſeveral orders made even that evening for new bills, he did not conſider it at all too late in the Seſſion to bring forward ſome motions, which he truſted would be done on an early day, for

for the repeal of that act. The act itſelf was paſſed in a much later period of the laſt Seſſion.

MONASTIC INSTITUTION.

Sir *H. St. John Mildmay* moved the order of the day for the Houſe going into a Committee on the Monaſtic Inſtitutions Bill.

Mr. *Sheridan* wiſhed for a delay of a few days. He hoped that the hon. Baronet would not object to poſtponing the order, as he could aſſure the Houſe, that in the interval, ſuch papers, &c. would be received from the parties intereſted in the bill, as would entitle their caſe to great conſideration. Another motive for wiſhing for delay was, that ſeveral Gentlemen then abſent, wiſhed to attend the diſcuſſion, and if their abſence was not occaſioned by the moſt important buſineſs, yet it was not without intereſt, being cauſed by their neceſſary attendance on agricultural purſuits. [*A laugh.*]

The Committee on the bill was now put off till Monday next.

UNION.

The *Chancellor of the Exchequer* brought up the Union Bill, which was read a firſt time, and ordered to be read a ſecond time the next day, and printed, preparatory to its being committed on Friday next.

The other orders of the day were deferred. Adjourned.

HOUSE OF LORDS,

WEDNESDAY, JUNE 18.

Several bill were brought up from the Commons, and forwarded each a ſtage.

The bills on the table were forwarded in their reſpective ſtages. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 18.

Mr. *Wallace* took the oaths and his ſeat for Rye.

Mr. *Bragg* brought up the report of the bill allowing the uſe of ſugar in brewing, which was ordered to be read a ſecond time the next day.

The Perfumery Duty Repeal Bill and the Hop Fraud Bill were read a firſt time, and ordered to be read a ſecond time the next day.

Lord *Stopford* reported at the bar, that his Majeſty had been

been waited upon with the addreſs of the Houſe, (relative to Mr. Foden's diſcovery) to which he had been pleaſed to give a gracious anſwer.

The Union Bill was read a ſecond time, and ordered to be committed on Friday.

The Houſe went into a Committee upon Mr. Macdowall's petition, and came to a reſolution, that longer time ſhould be granted for the re-payment of the money advanced by the public.

A meſſage from the Lords ſtated, that purſuant to a meſſage from that Houſe, of the 21ſt of April laſt, they had cauſed an inſpection to be made of the records in the treaſury chamber, and deſcribed the nature and ſtate of the records there depoſited, and that they had agreed to ſeveral bills.

The Houſe went into a Committee upon his Majeſty's meſſage, reſpecting certain parts of the property of their Majeſties.

Mr. *Percival*, the Queen's ſolicitor, ſtated, that her Majeſty conſented to any arrangement which ſhould be made, as far as her property was concerned.

The Committee then came to a reſolution, upon the motion of the Attorney General, that the chairman ſhould be directed for leave to bring in a bill, reſpecting the diſpoſition of certain parts of the property of his Majeſty, alſo of the real and perſonal property of her Majeſty, and the Queen conſort for the time being.

The Houſe went into a Committee upon the bill for preſerving the timber in the New Foreſt, Hampſhire.

Mr. *Huſſey* thought the moſt effectual way would be to turn the whole into cultivation, he meant by making it private property. He lamented that the matter had lain ſo long dormant, and that nothing had been done ſince the time when the commiſſioners preſented their very able reports upon this ſubject.

The *Chancellor of the Exchequer* thought whether any thing further could be conveniently done or not, it would be very deſirable that this bill for aſcertaining the limits and boundaries of the foreſt ſhould paſs.

Sir *Wm. Dolben* coincided as to the neceſſity of doing ſomething for the preſervation of the timber.

Mr. *Roſe* ſtated that the foreſt conſiſted of 96 acres, but this included many private manors, and that a great variety of private rights, ſuch as right of paſturage, &c. would make it difficult to adjuſt equivalents, even if it were thought adviſeable

viſeable to convert the foreſt into private property. The only way effectually to preſerve the timber, would be to ſtop totally the practice of houſing. Several clauſes being added, the report was received, and ordered to be taken into further conſideration on Tueſday.

The bill regulating executory deviſes was ordered to be committed on Friday next.

The Houſe went into a Committee of Ways and Means, and reſolved that the allowances to ſubalterns of the militia for the year 1800, ſhould be defrayed from the land-tax. The report was ordered to be received the next day.

The Committee of Supply was put off to Friday.

The Houſe went into a Committee on the Scotch Diſtilleries.

Mr. *Roſe* ſtated, that it had been thought adviſeable to divide the duties, and place them in portions upon the ſtill, the waſh, and the ſpirit; he accordingly moved reſolutions to this effect, which were agreed to. The report to be received the next day.

The Houſe in Committees, went through the Rape and Linſeed Importation Bill, the Corn Importation Bill, the Neutral Ship Importation Bill, the Eaſt-India Warehouſing Bill; the reſpective reports of which were ordered to be received the next day.

The Cape of Good Hope Wine Duty Bill, and the Kidd Skin Duty Bill, were read a third time, and paſſed.

Mr. *Jones* ſaid, he had never yet moved the ſtanding order, but there had already ten orders of importance been diſpoſed of, with ſcarce a dozen Members in the Houſe, he muſt therefore now move the ſtanding order.

The Houſe adjourned for want of a ſufficiency of Members.

HOUSE OF LORDS.

THURSDAY, JUNE 19.

The Houſe affirmed the judgment given ſome time ſince by the Court of King's Bench, reſpecting the right of taking tythe of hops in Farnham. Some time ago, four of the judges gave their opinion in this appeal. This day four more of the judges gave their opinion. Only one of the eight judges differed from the deciſion of the Court of King's Bench.

Several bills were brought up from the Commons.

Adjourned.

HOUSE

HOUSE OF COMMONS.

THURSDAY, JUNE 19.

On the motion of Mr. *Samuel Thornton*, the Bank-Buildings Bill was read a third time, and paſſed.

A meſſage was received from the Lords, ſtating, that their Lordſhips had agreed to the Scotch Judges Salary Bill, and ſeveral private bills.

Mr. *Sylveſter Douglas* moved for an eſtimate of the expence of the Floating Lazaretto at Stangate Creek, of the expence of all Lazarettos during the laſt ten years, and alſo a copy of the eſtimate given by Mr. *Wyatt*, of the expence of eſtabliſhing a Lazaretto near Chipney Hill, as well as other accounts relating to meaſures propoſed to be taken for the better regulating the laws, &c. of quarantine. Ordered.

Mr. *Charles Yorke* obtained leave to bring in a bill for eſtabliſhing certain regulations in the offices of the Houſe of Commons.

The Bread Aſſize Regulation Bill was read a ſecond time, and ordered to be committed the next day.

Mr. *Yorke* gave notice, that he would move the next day, in the Committee on this Bill, for leave to bring up a clauſe, extending the proviſions of the act to the city of London.

Sir *John William Anderſon* obſerved, that the magiſtrates of London would not object to ſuch a clauſe.

Mr. *Attorney General* brought up the bill moved for the preceding day, for removing doubts reſpecting the right of his Majeſty, &c. to give a title, &c. to their real and perſonal property. The bill was read a firſt time, and on the motion for its being read a ſecond time the next day,

Mr. *Nicholls* ſaid, that as the bill would probably affect the rights of private individuals, he was of opinion it ought not to be preſſed forward with ſuch haſte.

Mr. *Attorney General* did not admit that the bill trenched in any reſpect on private rights.

The *Speaker* obſerved, that as the hon. Member (Nicholls), confeſſed he was not preſent when the heads of the bill were detailed yeſterday in the Committee, he would read it. The bill being now read from the chair,

Mr. *Nicholls* proceeded to urge delay. He thought the bill affected the rights of the Heir Apparent, and if he recollected diſtinctly the hiſtory of no very remote period, it was held by very able and wiſe men, that the King poſſeſſed not the right of diſpoſing of his perſonal property. However

this might be, it was quite certain that his preſent Majeſty recovered from the Duke of Cumberland a ſum of money left by Geo. II. to that Prince, and Geo. II. conteſted and obtained poſſeſſion of an annuity left by George I. to the Queen of Pruſſia, both which queſtions are from doubts entertained, and (as the event had proved) well-founded doubts, whether the property of the King does not of right devolve to his ſucceſſor.

Mr. *Attorney General* had no objection to the bill being printed, and though he could not admit that it ever was ſeriouſly doubted that his Majeſty poſſeſſes the right of diſpoſing of his perſonal property, yet he could not object to defer the ſecond reading of the bill till Monday next. There were no private rights involved in the queſtion, and none ſuch could therefore be affected by the preſent bill. The bill was now ordered to be read a ſecond time on Monday, and in the mean time to be printed.

Mr. Attorney General next gave notice, that he would move the next day for leave to bring in a bill for the better preſervation of game in the King's foreſts. It was not his intention to paſs the bill in the preſent ſeſſion, but only to go into a Committee upon it, where he would propoſe that the blanks ſhould be filled up, and the bill would then be dropped till next ſeſſion. The principal enactment of the bill would be a clauſe for puniſhing perſons poaching in the King's foreſts, in the ſame manner with thoſe who are convicted of that offence on private grounds.

Mr. *Long* preſented an account of the ordinary revenue and extraordinary reſources of Great Britain, for the year ending 5th April, 1800.

The report of the Committee of Ways and Means, relative to certain allowances to ſubaltern officers of militia was brought up, and a bill ordered.

The Scotch Diſtilleries Bill was reported.

Mr. *Wilberforce* preſented a petition from the journeymen workmen of Leeds, praying for the repeal of the Workmen Combination Act. Ordered to be laid on the table.

The Hops Duty and Hops Trade Frauds Bill, and the Perfumery Duty Bill, were a ſecond time, and ordered to be committed the next day.

The Neutral Ships Bill, and the Corn Exportation Prohibition Bill, were ordered to be read a third time the next day.

The amended Eaſt-India Goods Warehouſing Bill was read a third time and paſſed. Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, JUNE 20.

The Lottery Bill, forty-nine public and ſeventeen private bills received the royal aſſent by commiſſion. The commiſſioners were the Lord Chancellor, the Duke of Portland and Earl Spencer.

The counſel in reply, on the appeal cauſe, the Marchioneſs of Titchfield *v.* Cuming, were fully heard, when the Lord Chancellor explained the principal features, &c. of the caſe, and moved that the interlocutors complained of be affirmed. Ordered.

Several bills were brought up from the Commons, and preſented by Mr. Bragge, Mr. Sturt, Mr. Pierrepont, and others, and read a firſt time.

The bills on the table went through their reſpective ſtages. Several of them were third readings.

Adjourned till Monday.

HOUSE OF COMMONS.

FRIDAY, JUNE 20.

On the motion of the Chancellor of the Exchequer, the Union Bill went through a Committee, and the report was ordered to be received on Monday.

The bill for regulating the firſt emoluments of the officers of the Houſe of Commons was read a firſt time, and ordered to be read a ſecond time on Monday.

Mr. *Yorke* moved, That there be laid before the Houſe an account of the net produce of the fees and emoluments of the Serjeant at Arms attending the Houſe for the laſt ten years, diſtinguiſhing the amount of each year. Ordered.

Sir *J. W. Anderſon* having moved the third reading of the London Small Debt Bill,

Mr. *Jekyll* roſe to oppoſe it. The reaſons of his oppoſition were the ſame as thoſe which he had already twice urged with ſucceſs, when a ſimilar bill was propoſed in the years 1795 and 1796. After briefly touching on the firſt inſtitution of the Court of Conſcience, which took place at a period not very favourable to the adminiſtration of juſtice, the learned Gentleman proceeded to ſtate his objections to the extending of the juriſdiction of that court, which was the object of the preſent bill. From the experience of its juriſdiction in London and elſewhere, it was ſeriouſly to be wiſhed

that, inſtead of extending it, it ſhould be wholly aboliſhed. It was lodged in judges wholly incompetent to the truſt they had to diſcharge. This court was moreover a ſource of jobbing and intrigue, and opened a door to a maſs of perjury. Courts of Conſcience were alſo made an engine for electioneering and worſe purpoſes, and the Houſe would undoubtedly pauſe before they ſanctioned any encreaſe of their juriſdiction, eſpecially if there appeared no neceſſity for the meaſure; and this was obvious, as there were other courts of record in London, viz. the Mayor's Court and the Sheriff's Court, in which the Judges were men of profeſſional ability, and of highly reſpectable character, and where the expences attending the proceedings were very trifling indeed, whereat only 2d. was paid for the attendance of each juror. It was his wiſh that ſome reform like that which had taken place in the Whitechapel Court, ſhould alſo be introduced into what were called the Courts of Conſcience, and that the trial by Jury ſhould be adopted in all. Beſides, if the preſent bill were to paſs, all ſimilar courts in every part of the country would claim the ſame extenſion of their juriſdiction, and thus extend the evils with which the adminiſtration of juſtice in ſuch courts muſt neceſſarily be attended. It was alſo ſtrange that on a bill of this nature the law officers of the city of London had never been conſulted, and that in no inſtance had it received the approbation and ſanction of the Judges. On all theſe grounds he felt himſelf juſtified in oppoſing the further progreſs of the bill.

The *Maſter of the Rolls* ſaid, that if the bill was permitted to be read a third time, ſuch alterations or additions would be made to it, as would in a great meaſure remove the objections advanced againſt it. The great object of the bill was to extend the cognizance of cauſes from 40s. to 5l. and in admitting the propriety of this extenſion, it was only neceſſary to attend to the different value of money at the time when theſe courts were firſt eſtabliſhed, and to what it was at the preſent time. Forty ſhillings then muſt ſurely be acknowledged to be more than 5l. now, or even than 5l. fifty years ago. As to what had been advanced by the learned Gentleman reſpecting the greater ability or purity of the other Courts to which alluſion had been made, he had only to ſay that much ſtreſs could not be laid on the integrity of jurors, whoſe principal enticement to attend was a recompence of two-pence. The learned Gentleman concluded by enumerating a variety of caſes where the coſts on ſuits tried

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in theſe Courts more than triply exceeded the original ſum, for the recovery of which the ſuit had been inſtituted, and declared it to be his opinion that ſome meaſure like that now under conſideration, was abſolutely neceſſary for the objects which it profeſſed to accompliſh.

Sir *J. W. Anderſon* contended that the Courts of Conſcience were compoſed of highly reſpectable perſons, eſpecially as none were allowed to ſit in them who were not poſſeſſed of property to the amount of a thouſand pounds. He might alſo aſſert, in contradiction to what was advanced by the learned Gentleman (Mr. Jekyll) that the conduct and proceedings of theſe Courts had the full approbation and ſanction of the Judges.

The *Attorney General* concurred in the ſame opinion, and in proof of the reſpectability of the perſons who were commiſſioners in this court, he aſſerted that they were the ſame who compoſed the ſpecial juries on the trials at Guildhall, where cauſes involving very large property were uſually tried and decided.

Mr. *Luſhington* declined giving any opinion on the point of law; but appealed to the common ſenſe of the Houſe, whether ſuch a meaſure as that now propoſed was not abſolutely neceſſary?

Mr. *Jekyll*, after a few words in explanation, moved, as an amendment, that the bill be read a third time this day three months. The queſtion was then put upon the amendment, which was negatived with a diviſion; after which it was ordered that the farther proceedings on the third reading of the bill be deferred till Monday.

On the motion that the Houſe do now reſolve itſelf into a Committee on the bill for regulating the Aſſize of Bread,

Sir *J. W. Anderſon* moved, that it be an inſtruction to the ſaid Committee that they receive a clauſe for extending the proviſions of the ſaid bill to the City of London, the adjoining places within the bills of mortality, and the diſtance around of ten miles from the Royal Exchange.

The Houſe having reſolved itſelf into a Committee upon the bill, the clauſe was received and ordered to make part of it.

After a few obſervations from the ſpeaker reſpecting the regularity of the proceeding, the report was received immediately, and the bill ordered to be read a third time on Monday.

A meſſage

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Tanning Regulation Bill, the Glaſgow Paving Bill, and to ſevere Private Bills.

The *Speaker* acquainted the Houſe that the royal aſſent had been notified by commiſſion, in the Houſe of Peers, to ſeveral public and private bills, among the public bills were—the Lottery and the Income-Tax Regulation Bill.

The Houſe next reſolved itſelf into a Committee on the Teſtamentary Deviſes Bill, in which a long converſation having ariſen between the Attorney General, the Maſter of the Rolls, and Mr. Burton—

Mr. *Pierrepoint* obſerved, that if the diſcuſſion was further proceeded on in ſo thin an attendance, he would take the opportunity which was evidently in his power, of putting an immediate ſtop to it; it was then agreed to defer the further proceeding on the bill till Wedneſday next.

Mr. *Bragge* brought in a bill for repealing the duties now payable by the Scots diſtilleries, and for ſubſtituting others in lieu thereof, read a firſt time, and ordered to be read a ſecond time on Monday.

The Annual Bill for indemnifying the Lieutenant Governors of the Weſt India Iſlands, who have allowed the importation of prohibited Goods, was read a firſt time.

A bill was brought in for granting an allowance to Subalterns of Militia in time of peace, which was likewiſe read a firſt time, and ordered to be read a ſecond time on Monday.

The Lint-ſeed and Rape-ſeed Cake Bill, was read a third time and paſſed.

The Waſte Paper Bill was read a ſecond time and committed for Monday.—Adjourned to Monday.

HOUSE OF LORDS,

MONDAY, JUNE 23.

The further hearing of Counſel on the Appeal Cauſe, from the interlocutors of the Lord Ordinary, and the Lords of Seſſion in Scotland, John Earl of Galloway and John Gordon, Eſq. Appellants, and the Lords of the Treaſury, and the Lord Advocate of Scotland Reſpondents, which was expected to have come on this day, was poſtponed to the following week.

The various bills on the table ſeverally paſſed a ſtage each.

Five

Five or ſix private bills were brought up from the Commons, preſented, and read a firſt time.—Adjourned.

HOUSE OF COMMONS,

MONDAY, JUNE 23.

The Bill for Recovery of Small Debts, and extending the powers of the Courts of Requeſt within the City of London, was read a third time and paſſed.

The report on the Coal Bill was received, and ordered to be printed.

Sir *Ralph Milbank* ſaid, that whatever might be the ſuppoſed advantages of the Coal Owners, he had not the ſmalleſt doubt but, on every part of the inveſtigation, when the great encreaſe in the price of timber, cordage, iron, hemp, and every other article they had occaſion to uſe in their concerns was carefully conſidered, they would be found to have uniformly acted upon the moſt honourable principles.

The farther proceeding on the Aſſize Bread Bill was deferred till the next day..

The report on the bill for the Union with Ireland, was received and the bill was ordered to be read a third time the next day.

The bill for regulating the Offices in the Houſe of Commons was read a ſecond time, and ordered to be committed on Thurſday.

Mr. *Sturges* brought up a report of the Duchy of Lancaſter Court Bill, which, with the amendments, was ordered to be engroſſed, and to be read a third time the next day.

On the motion of Mr Roſe, the Houſe went into a Committe on the Stamp Duty Bill.

Mr. *Roſe* moved ſeveral new clauſes, which were adopted in the Committee; and amongſt others, a clauſe, authorizing the Commiſſioners of the Stamp Duties to allow an extenſion of the ſize of newſpapers to be ſtamped.

Mr. *W. Dundas* preſented a petition from the diſtillers in the neighbourhood of Edinburgh, againſt the Scotch Diſtillery Bill, which was, on motion for that purpoſe, ordered to be referred to the Committee on the bill.

The bill relative to the perſonal property of their Majeſties was read a ſecond time, and ordered to be committed the next day.

The *Attorney General* moved for leave to bring in a bill to protect the game in the King's foreſts.—Granted.

MONASTIC

honour of his country. This writer exults that the Romans never could ſubdue the Northern tribes of the part of the kingdom now called Scotland, and the reaſon he gives is, that the Roman arms would never penetrate beyond Agricola's wall. Now the proof was the other way: for it was obviouſly the effect of the ſuperiority of the Romans that they extended their conqueſts ſo far Northward. The application of this hiſtorical incident was, that thoſe who now ſaw ſo much danger in permitting a few thouſand Prieſts to ſay maſs in this country, appear to forget that they are but the wreck of two or three hundred thouſand, which formerly exiſted in great power and relative ſplendour, in a country wholly Catholic, and under the reign of a Prince diſtinguiſhed for his attachment to the Popiſh Church. Would then any man ſay, that the mere wreck of that Church, that miſerable portion of thoſe who performed the ſervices of religion on her altars (miſerable as to their weakneſs and means of acquiring influence, but reſpectable for their virtues), was it likely that theſe people, like the Trojan Colony, would be able to found an Empire? There never were means more inadequate to the end. The Bill was indeed wholly without an object, and could not be ſupported without inconſiſtency. But ſo general was the practice of calling on the Houſe for laws, and with ſo great facility did the Houſe of late grant ſuch requeſts, that it would not excite any ſurpriſe in him to hear of Bills for the mereſt trifles. There was nothing ſo cheap as law: *(a general laugh.)* Nothing ſo cheap as the law of Parliament, (continued the hon. Secretary) but as to the Courts below, there the law keeps pretty much at the old price. Men go to the Legiſlature for laws, as they go to the pariſh pump, which may be worked by any man who puts his hand on it. The preſent Bill might well be ſaid to be one of thoſe which had no ſtrong caſe to ſupport it. He wiſhed, therefore, to ſtop the progreſs of the Bill. If, however, the Houſe ſhould go into the Committee, he would be glad to know how Gentlemen could expect to diſcuſs a ſubject which has neither form nor ſubſtance, an object which has no viſible joints or limbs. But it would be aſked, are we to ſee convents and nunneries eſtabliſhed among us without an attempt to ſuppreſs them? If this ſubject were examined fully, it might be aſked, what greater danger is to be apprehended from monaſteries, than from the numerous other ſects in our country which diſſent from the eſtabliſhed Church? If a man thinks that his duty to his God can better be performed in a

monaſtery

monaſtery than a chapel, what liberal minded Proteſtant will object to it? If a man thinks that he, by retiring from the world, and leading a life of ſelf denial, auſtere piety and penance, better fits himſelf for eternal life, ſhall Proteſtants forbid him the exerciſe of his zeal? He had never met with any thing ſo ſevere, however, as the notions of ſome Proteſtants againſt the Catholics. Nothing but acrimony and a ſpirit of perſecution pervaded the whole of the Proteſtant Writings againſt the Aſcetics of Rome. But why is a Catholic to be marked out as a ſubject of enmity for mortifying himſelf to exalt his penance, and prepare himſelf for another world. The Catholic ought to be permitted to be his own phyſician who had adopted for his motto:

——— Quit a world where ſtrong temptations try.
And if we cannot conquer, learn to fly.

He could not ſee why Monks were to be conſidered worſe than the Gentlemen of that Houſe, who live on their eſtates without labour. Might not a ſociety of ancient Ladies be as uſefully employed in a Convent as if they were diſtributed in parties at different card tables? If, again, Gentlemen would conſider the uſefulneſs of monaſtic inſtitutions, they would find much to reſpect. How valuable had been the diſcoveries of the miſſionaries ſent from them to almoſt every corner of the world, added to the number of uſeful books which had iſſued from time to time from their cloiſters. He ſaw no danger from the progreſs of converſion, which was ſlow and immaterial. Here the hon. Member urged the general topic of toleration, and obſerved, that while it might be politic for a State to interfere in extreme caſes with the religious opinions of a people, yet no interference would be juſtifiable except on very ſtrong grounds. It was becauſe he thought ſo that he voted for the repeal of the Teſt Act, and would probably vote ſo again. The preſent Bill, as far as it related to Convents, propoſed to ſave a man from the effects of his own act; whereas laws propoſed, in general, to ſave a man from the acts of others. There was a law indeed to prevent people from riding on the top of a ſtage-coach, but this law appeared to have the ſafety of the inſide paſſengers as much in view as that of the paſſengers on the top. In ſome countries, there were again laws to prevent people from going on the ice at certain periods; but all ſuch laws, though obviouſly well meant, were far from popular. Hence it was evident, that a law to prevent converſion could not be an

effectual or politic law. It could never be wiſe in the Legiſlature to ſet itſelf in motion to enact laws to reſtrain men from committing that of which they muſt ſo ſpeedily repent. With reſpect to the taking of vows, he believed the fact was, that only thoſe who had ſerved their noviciate, or the greater part of it, on the Continent, took the vows in this country. Thus then no acquiſition was made from the natives of Great Britain; and as to the alarm about converts, he could only ſay, that the Church muſt increaſe its diligence, if it has relaxed any, and watch its flocks with care, giving them that ſpiritual food which they have a right to expect from their Paſtors, and which is ſo neceſſary to the ſalvation of their ſouls. But people often thought there never could be law enough. He once attended a diſcuſſion on a Bill brought in at the inſtance of the Nurſerymen, who thought it better to apply to Parliament for a power to plant trap guns than to mend their hedges. Here the hon. Member obſerved, that the perſons intereſted in the preſent Bill would rather be put at once under the Alien Bill than ſubjected to the operation of the propoſed law. He ſaw no danger from the education of children, for the keepers of the religious houſes avowed their doctrines, which ſtood revealed in the papers they circulated; and indeed there was ſo little Catholic or other religious zeal at preſent viſible in this country, that he ſaw no reaſon to be at all alarmed at Popery, or the number of proſelytes to it. If parents ſend their children to ſuch ſchools, knowing the teachers to be Catholics, they can care but little about the Proteſtant faith. There was one conſideration which particularly guided him, namely, that by queſtioning the purity and regularity of the inſtitutions alluded to, they were held up to ſcorn. An honourable Member over againſt him had expreſſed a hope that he (Mr. Windham) would not make this a Nun-baiting Bill. Now the fact was, that honourable Member had changed occupations, and being now a little goaded, he ſeeks furiouſly to ruſh in among the poor nuns and give them a ſpecimen of bull-baiting. Since therefore no evil exiſted to be remedied, and no danger to be averted, he muſt decidedly oppoſe the Bill. There was one thing which had been whiſpered, but in which he knew of nothing that attached blame to the hon. Baronet who brought in the Bill. It had been ſaid that ſome electioneering intereſts were involved in the queſtion. Of this he knew nothing; but whether true or falſe, as there exiſted no grounds for

for the Bill, and as no ſufficient proofs had been exhibited of the alledged danger, he would, for the general reaſons he had ſtated, oppoſe the motion.

Sir *H. St. John Mildmay* aſſured the Houſe that the reaſon why he had brought in this Bill was, he thought it abſolutely his duty ſo to do. He thought the progreſs of the Roman Catholic Religion in this country was very rapid and alarming. To hold out againſt the evil effects of it he thought was one of the greateſt ſafeguards of the conſtitution, and as ſuch was the intent and meaning of this Bill, he hoped the Houſe would not be leſs ſolicitous in this than it had always been in caſes of a ſimilar nature. The object of the preſent Bill went merely to enlarge and ſtrengthen the powers of the Act of 1791, and if that Act was then neceſſary when there was no danger exiſting, ſurely now, in the year 1800, when it can be clearly ſhewn that there does danger exiſt on this head to a very great degree, the Houſe would not be leſs vigilant than on the former occaſion. The Roman Catholics who have been received into the country in the hour of diſtreſs, are now forming monaſtic inſtitutions, and endeavouring by every means to make converts in every part of the country in which they were ſettled, and he was ſorry to ſay they met with but too much ſucceſs. If there was any thing wrong in the principle of this Bill, it was not to be attributed to him: it ſhould be attributed to men of much higher ſtations and greater abilities than he could pretend to. The learned Gentleman, then his Majeſty's Attorney General, had introduced the Bill of 1791: the preſent Attorney General had ſupported it: the Chancellor of the Exchequer had ſupported it: and even the right hon. Secretary at War had then ſupported a Bill of a ſimilar nature and tendency. The object of the firſt part of the Bill goes to prevent the French Emigrant Prieſts from ſetting up monaſtic inſtitutions, which had always been looked upon with an eye of the greateſt jealouſy, and contrary to the principles of the Conſtitution. The ſecond object of the Bill was, to prevent them from holding out bribes and allurements to ſeduce the children of Proteſtant parents. The very great oppoſition that has been made out of doors againſt the Bill, the hon. Baronet contended, was ſufficient to create ſuſpicions that they had farther objects in view. In the preſent caſe the Roman Catholics of the country had, very imprudently as he thought, made a common cauſe with the French Emigrants: but he hoped the Houſe would not ſupinely ſit ſtill, and ſee the Conſtitution

ſubverted

ſubverted and undermined. He ſhould be ſorry to ſay any thing which might tend to prejudice the public mind againſt the Roman Catholics; but to preſs the proviſions of the preſent Bill was what he thought his duty to his country called on him to do. Sir Henry then entered upon a compuration of the numbers of Catholics compared with that of Proteſtants, which, he ſaid, was about one to two hundred; and Hume, he ſaid, tells us, that in 1687, when all the influence of the country was in the hands of the Catholics, and there was no riſing in places of truſt, influence, or profits, or to ſtationary rank, but through their means, the ratio as to numbers was, at that time, as one to two hundred; ſo that it ſhews the power of numbers had been no guard or ſecurity to the conſtitution. A conſiderable number of theſe Monaſtic Inſtitutions had been formed in various parts, and the inhabitants of them were moſt active in making converts. This he could prove.—He had in his poſſeſſion an official letter from the French Biſhop of St. Pol de Leon to the Biſhop of Wincheſter, which was written in conſequence of one from him, containing repreſentations and remonſtrances againſt their proceedings. The preſent Bill went to prevent the further progreſs of this evil; and, he hoped, the Houſe would, by paſſing it, ſtop the diſeaſe before it was ſuffered to make too great a head.

Mr. *Jones* ſaid, he ſhould detain the Houſe but a few minutes; but he found himſelf almoſt baited by the right hon. Secretary into ſaying a few words. The hon. Gentleman oppoſite to him had ſaid that he delivered himſelf ſtrongly on ſome points. If he did ſo, he ſuppoſed, he muſt in general be pretty well underſtood. The hon. Secretary had the advantage of him in that reſpect; for when he ſpoke, his ſpeeches were ſo very metaphyſical, that for his own part, he could not underſtand one half of them. He contended ſtrenuouſly for the neceſſity of paſſing the preſent bill. A pamphlet lately publiſhed by Dr. Duignan, proved that a man cannot be a good Catholic without making converts. The hon. Baronet had done him the honour to ſhew him the letter from the Biſhop of St. Pol de Leon, in which he actually juſtifies the proceedings of his inferior clergy ſettled in that neighbourhood. An hon. Gentleman now no more (Mr. Burke) for whoſe memory he had the higheſt reſpect, had ſaid, '*the age of chivalry is gone*,' he himſelf might now ſay, 'the age of popery is come.' The hon. Secretary at War was become the very champion of popery—and he ſhould not wonder if he

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was to elect a Pope, and make him a member of that House. The hon. Secretary had ſaid, he had that night changed places with him; he did not know what part, however, the hon. Secretary meant to play, he changed about ſo often. A ſhort time ago he was the plain honeſt downright John Bull, the ſturdy advocate for the ruſtic amuſement of bull baiting; now he was the reverend friar talking of popery with ſo much glee, that he ſeemed as if revelling in unreſtrained pleaſures, free and running full tilt among the Nuns of his Convent.

Mr. *D. Ryder* maintained that the principle of the Bill was good, and that its proviſions were moderate and unexceptionable. It had been ſaid, that if paſſed into a law, it would harraſs the Roman Catholics, and expoſe them to the odium of the public.—The reverſe was the caſe; it would operate as a protection to them, and would reconcile the minds of the populace to their reſidence in Great Britain. Unleſs ſome regulation of this nature ſhould be adopted, their ſituation would ſoon become irkſome and inſupportable. We exerciſed the moſt extenſive charity of any nation that ever exiſted, and theſe exiled prieſts had hitherto been worthy objects of our benevolence. They had behaved in the moſt peaceable and inoffenſive manner, and had ever ſtudied to demean themſelves according to the laws of the land. But if they were now in danger of encroaching upon theſe laws, would it not be proper to give them warning of the error they are likely to commit, leaſt they ſhould ceaſe to be equally inoffenſive and equally deſerving? If this Bill ſhould not paſs, theſe religious ſocieties would ſoon become objects of ſuch jealouſy, that their ſuppreſſion would be altogether indiſpenſible. On the contrary, the country would perceive from the paſſing of ſuch a Bill, that their fears were groundleſs for the ſafety of their religion, and that though monaſtic inſtitutions are tolerated for a time in this country, they will never be made permanent. What way ſo ſure to render the life of theſe unfortunate men ſo peaceable and unmoleſted? The Bill was in fact an enabling Bill, and not a Bill to coerce, to reſtrain, and to puniſh. The exiſtence of the monaſteries was directly contrary to ſeveral ſtatutes which remained unrepealed, and never ſince the Reformation has their exiſtence been ever before tolerated, far leſs legaliſed by the laws of England. His only objection to the Bill was, that it carried toleration too far. He admired toleration as much as any man, but there was a point beyond which, for the good of the community, and of ſectaries themſelves, it ought not to be carried.

carried. It had been ſtated, as an argument againſt the Bill, by the right hon. Gentleman who opened the debate, that it would tend to ſuppreſs monaſteries altogether. He was rather ſurpriſed to hear ſuch an argument adduced in that Houſe. The monaſtic life was pretty generally condemned even in Roman Catholic countries, and he by no means expected to hear that defended in the Britiſh Houſe of Commons, which was contrary to our religion, hoſtile to our laws, and deſtructive of our proſperity and opulence. The hon. Baronet, whoſe merit in this affair every one muſt ſee and acknowledge, could have ſtated many inſtances of young people being ſeduced by theſe religious ſocieties, but he was very properly reſtrained from making them public from motives of delicacy and prudence. The feelings of private families might have been hurt, and had the moſt obnoxious houſes been pointed out, they might have experienced the fury of a mob not inferior to that led by Lord George Gordon. Fortunately no facts were neceſſary to be adduced, as there would have been ſufficient ground for paſſing the Bill were we merely certain that numbers of nuns and friars were about to land on our iſland. It was evident that theſe perſons would exert themſelves to the utmoſt to make proſelytes, and that the ſooner their endeavours were checked the better for themſelves and the country. He allowed there was no great danger of grown-up people being prevailed upon to change their religion, nor would he object to their being allowed to hear all the arguments which can be adduced in favour of any religion or of any ſect. But with children, the matter was widely different. It was well known, and every day's experience proved the truth of the poſition, that children adopt implicitly the religious principles of thoſe around them. In ſhort, there could be no doubt that if theſe monaſtic inſtitutions were to be at all tolerated in this country, they ought to be under the controul of the magiſtrates, and as this Bill would attain this ſalutary object it had his hearty ſupport.

Mr. *Hobhouſe* ſaid, that he highly honoured the motives of the hon. Gentleman who introduced the preſent Bill, but he muſt be allowed to ſay, that he conceived that alarm with regard to the growth of popery to be falſe and groundleſs. There was a very great difference between papiſts and thoſe in this country who profeſs the Roman Catholic religion. The latter, with few exceptions, had ſubſcribed a renunciation of the temporal ſupremacy of the Pope—of that doctrine which inculcates that faith is not to be kept with heretics,

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and of every other kind which is at all inconsistent with their allegiance to the king and laws of England. These dangerous opinions in civil matters being abandoned, then, they ought most unquestionably to be placed on a level with other dissenters from the established religion. The time had now arrived, spoken of by Blackstone, when the rigour of the penal code should be mitigated and softened; but instead of that, they were about to increase its severity. There was now less occasion for jealousy than at any former period. The number of Catholic priests in the country was considerable, but they were uniformly well behaved; many of them were daily returning to their native country, and though they had the inclination, they are destitute of the means to do mischief. That the Catholics had conducted themselves to the satisfaction of Government was generally acknowledged and avowed, and even the Secretary of State had admitted that Government was satisfied with the conduct of the foreign Catholics, in a letter written to the Bishop of Pol de Leon. Before gentlemen should consent to vote for this bill, they would do well to consider the statues against Catholics already in force. By one, all convicted of withdrawing from their allegiance, and reconciling themselves with the see of Rome, are guilty of high treason; and there were many others of a similar nature. These laws were a disgrace to the Statute Book, and it was no apology for their rigour that they were obsolete; any mercileſs bigot might enforce them, and though dormant, they were so many daggers scattered around, which might be seized at any time by the dæmon of superstition, and converted to purposes the most bloody and the most desperate. It had been said, that facts which could be stated, were withheld from delicacy. He could assure the hon. Gentleman, that these religious themselves wished and called for enquiry. Gentlemen could not surely suppose that such a bill ought to be passed on hearsay and *ipse dixit*. No such reason had been assigned, nor had it been shewn that these societies are formidable, either from their numbers, their opulence, or their zeal. There were seventeen societies for males, containing in all between two and three hundred, and only seven or eight females, the whole of whose numbers did not exceed 54. Since the year 1794 sixty of these had died, and only twenty-four had succeeded in their stead. There was equally little ground for apprehension from considering their property, as they were almost wholly maintained by the voluntary contributions of the charitable.

He had the authority of the ſuperiors of the houſes, at leaſt of the moſt reſpectable abbeſſes and directors for ſaying that they never admitted any children into the convent, knowing them to belong to Proteſtant parents. This exception certainly occurred: The ſuperior received one proteſtant child from miſtake, but when known, the child was rejected. Monaſteries were admitted, it is true, to be illegal; and this bill was to operate as a protection, which ſays you ſhall never replace your numbers as they fall away: fine protection! better ſay at once, no new foundation: this was ſhutting the door at once, and was undeſerving the name of generoſity! So much on the firſt branch of the bill; the ſecond was the education of children. To magiſtrates you gave the power of domiciliary viſits, and under thoſe harſh and afflicting regulations, you are about to put the Catholics, at a time moſt unfortunate indeed, at the time of the Union with Ireland, when three fourths of that nation are known to you to be Roman Catholics, and when you ſhould look out for every ſoftening and conciliating meaſure, you are but exaſperating that body of men whom you are pledged to favour and protect; one of the moſt ſtriking inſtances of imbecility, and ſuch as in itſelf is enough to ſatisfy me that the bill ſhould proceed no further. A letter which he had been honoured with from a noble Lord in Wiltſhire, whom every one muſt eſteem and reſpect, though he may differ from him in religious dogmas (Lord Petre) confirmed theſe ſtatements, and ſtated that after the moſt diligent enquiry, his Lordſhip had not been able to hear of any inſtance of imprudence in this reſpect. It had been ſaid by an hon. Gentleman, that this bill would protect the Roman Catholics. Would it be protection to prevent them from repleniſhing their numbers, and to oblige thoſe who ſhould ſurvive their preſent companions, to drag out a ſolitary and forlorn life within the dreary walls of a convent? Was it protection to prevent an unfortunate female, who had taken the vows in a foreign country, and who had been expelled from the retreat which ſhe had choſen, from finding an aſylum in her native country, and from ſpending her days among her friends in the ſervice of her Maker? The clauſe of the bill which authorized the domiciliary viſits of the magiſtrates, he thought moſt tyrannical and oppreſſive. The bill upon the whole was moſt inexpedient, and had been brought forward at a moſt unſeaſonable moment. When we were upon the point of forming a legiſlative union with Ireland, a country,

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three-fourths of whoſe inhabitants are Catholics, it would have been more becoming in us to have reformed our penal code, inſtead of rendering it more faulty, and to have attempted to conciliate and ſoften the minds of the Iriſh, inſtead of exaſperating. This certainly was an infallible method to make them place faith in our promiſes of Catholic emancipation. There were many other arguments which he could offer againſt the bill; his mind laboured with them they were ſo multifarious and forcible; what he had already ſaid, he believed, however, was ſufficient to convince any man whoſe judgment was unbiaſſed, and whoſe mind was free from prejudice.

Sir *William Scott* ſaid, that on the view of the meaſure on which they were deliberating, the firſt object that engaged the mind was that the perſons whoſe ſituation they were conſidering were perſons to whom great charity and hoſpitality were due; and who, on their part, enjoyed the charity and hoſpitality that was ſhewn to them, with great moderation. In order then to judge of the neceſſity of this meaſure, before proceeded on, he thought the Houſe ſhould be informed more exactly of the ſtate of the caſe. The worthy Baronet, from motives no doubt of delicacy, has avoided giving that information, and from the information given by the hon. Member (Mr. Hobhouſe) it appears that a convent of Benedictine Nuns had arrived, together with a few Eccleſiaſtics. Thoſe ſocieties, if they are to remain here but a ſhort time, and if that be only their intention, they may, he thought, be conſidered *in tranſitu*; their motives may be hidden in the obſcurity of events which accompany the preſent war, and as ſuch they may be acquieſced in. But on the other hand, if their intention be to remain here under the deſcription now aſſumed, he thought a different mode ſhould be purſued. He did not think that this inſtitution came within the rules of toleration, nor that the Roman Catholics have any reaſon for ſaying ſo: if, as a late celebrated character, (Mr. Burke) had ſaid, that the feelings of devotion be natural to the feelings of man, theſe are inſtitutions of a different nature. Should a religion, ſuch as the Roman Catholic, unfriendly, to ſay the leaſt of it, to the religion of the country, have the eſtabliſhment of corporation, &c. ſuch an inſtitution will have, by far, the advantage of the eſtabliſhed church. Their corporations will have the patronage that all large ſocieties have, of appointing, paying, &c. tradeſmen and others who become dependent on them, and muſt become ſuch as to preclude

clude our clergy, good and reſpectable as they are, from ſtanding on equal ground. Unleſs he could conſider religion as a matter of indifference (and God forbid I ſhould, exclaimed Sir William) he never could aſſent to ſuch eſtabliſhments in the country; and his objections to this bill was, that it gave a permanency to them, which he wiſhed would expire with the preſent perſons. He would wiſh to put thoſe perſons under the Alien Act, and ſuch regulations to make them return liſts of their numbers to the reſpective dioceſes in which they are. The Alien Bill will admit all, except native ſubjects; but as members of alien ſocieties they may be comprized within the act, and rendered amenable to it. Theſe ſuggeſtions he would throw out, as he thought the bill proceed too much on grounds of permanent policy. Sir William proceeded then on ſome further doubts he had of the policy of the bill, and then came to the ſecond branch of it, compriſing the regulations for Roman Catholic ſchools. He had long revolved in his mind the high matter of importance education was to the country, and reflected with pain upon its abuſes. Any man who now takes a large houſe in the metropolis or vicinity, and inſcribes it with the name of *academy*, takes upon himſelf the education of our youth. Be his own education ever ſo obſcure, his talents ever ſo contracted, or his principles ever ſo dangerous, yet numbers will fall into his hands, and, thus deluded, be returned into ſociety the victims of this bad education. This he ſaid was a moſt deplorable defect in our policy, and ſuch as he wiſhed to ſee remedied. On the regulation of thoſe Catholic inſtitutions, he did not approve of the appointment of magiſtrates as viſitors. It was a conſiderable and heavy burthen, and a novel and unuſual ſpecies of power in magiſtrates, who were burthened enough already. Beſides, it would be not only irkſome to the magiſtrates, but muſt expoſe thoſe who were viſited to feveriſh and unhappy feelings! He muſt be ſatisfied of the neceſſity and of the cauſe of this meaſure before he voted for it; and until proved, he would not believe that that neceſſity exiſted. He could not proceed on general aſſertions, and until it appears that a great many converts have been made, he would remain averſe to the interpoſition of the legiſlature. This was the ſum of what he had now to offer on the bill, and he thought that inſtead of proceeding on it further, a ſhort one may be ſo framed as to anſwer the purpoſe.

Mr. *Erſkine* profeſſed himſelf a friend to the principles of toleration

toleration in general; but when he did ſo, he ſaid he could not forget the hiſtory of our law as it applied to that ſubject. He could not conſent to pronounce a libel on the law of this country, and he muſt alſo deſire that before we pronounce any harſh expreſſions upon the old laws of this realm, upon the ſubject of the Catholic religion, we ought to place ourſelves in the ſituation of our anceſtors who framed thoſe laws, and conſider the reaſons they had for entering on thoſe regulations which they did, otherwiſe we ſhould do our anceſtors great injuſtice. It would be recollected, that when Sir William Blackſtone wrote his excellent book, the career of toleration had not commenced among us, all that was ſuffered under that name was not under the law, but was a mere winking of the ſtate. But our anceſtors, when they enacted the laws which appear now to us ſo rigorous, were under great difficulties. They were under the neceſſity of making general and ſevere laws, becauſe they could not make any diſcrimination, and truſt, as we can now, when there is a neceſſity for it, to the humanity of the country in the execution.—The firſt law which paſt in the way of toleration was that which was called Sir Geo. Saville's Act, an act worthy of his name, and it was followed up by others, ſome of which had his (Mr. Erſkine's) ſupport. But he could not help ſaying, now it was hard that after all this ſpirit of toleration, manifeſted ſo often as it had been, the Legiſlature ſhould be conſidered as if it were weary of its humanity, and betaking itſelf to its ancient jealouſy againſt Catholics. It was ſtated that there was a general cry againſt Catholics; he ſhould be aſhamed to join in ſuch a cry, if there was; he joined rather with the hon. Baronet in ſaying, that the Catholics of this country have conducted themſelves ſo well, that they deſerved all the favours they had received from it, and they have juſtified the policy which has been adopted with regard to them. The Houſe would do well, however, to mark how this country had been compelled to act in former times with regard to the catholics; for we had a prince now upon the throne whoſe anceſtors aſcended it, not by hereditary right of deſcent, but by a ſolemn act of legiſlation, and that paſſed in conſequence of the catholic policy of his predeceſſors upon that throne, and therefore it was not wonderful to find on our ſtatue book ſo many acts againſt Catholics. But as the bill now before the Houſe, although it prevented the growth of catholic influence, it was yet an enabling bill, and without which the Catholics would be liable to many ſeverities from

from which they are exempted by it. Some might imagine that monaſtic inſtitutions were part of the law of the land; ſo far from it, that they cannot in monaſteries carry on any thing of a ſecret nature in this country; the place of the worſhip of its votaries is not only open to every magiſtrate, but to every man who chuſes to be preſent; and whatever oath they may have taken, if they bar their doors they are obnoxious to all the penalties of the old laws upon the ſubject of Catholics. [Here he read a clauſe in a ſtatute to prove this.] As to the evils of allowing thoſe monaſtic ſocieties to ſpring up, and the influence of their number, the multitude of children they ſhall have under their care, and the danger to be apprehended to the ſtate from theſe circumſtances, he owned he apprehended but little on that account, provided the religious houſes were under proper regulation, but otherwiſe they might be dangerous. Under the monarchy, all the towns in France were under theſe inſtitutions of monaſtic communities; and he obſerved that there was a ſpirit among the Catholics in this country to enlarge their influence, for he had ſeen an advertiſement inviting all claſſes of the ſubjects of this country to come to them. They propoſe to educate the youth of this country, and to make the catholic religion popular, which this bill did not ſeek to check, but wholeſomely to regulate. They came into this country, but they could not have remained here, without the royal licence or permiſſion, independent of any proviſions of the alien bill. He would ſay therefore, that but for an enabling clauſe in the bill now propoſed, theſe unhappy people could not exerciſe their religion; by it they will have a right to do ſo, provided they have a licence from his Majeſty, but not otherwiſe. Under ſuch reſtriction he apprehended they could not, in their preſent number, be dangerous. There was only one thing which made an impreſſion on his mind, which led him to have ſome doubts as to the policy of this bill. We had allowed ſome unhappy Catholics who were now here, to take ſhelter from a ſtorm. Suppoſe others ſhould come for the ſame reaſon—by the preſent proviſion of the bill they cannot be received, for it is provided that the numbers ſhall not be kept up as they die; now, by leaving out three words that were now in the bill, a power might be given to his Majeſty to grant his royal licence to thoſe who may come hereafter, provided that the whole ſhall not exceed a given number; this would not contribute to the increaſe of catholic influence; beſides, by giving his Majeſty this power of granting

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his licence, his Majeſty would of courſe have the power of withholding that licence, and which, we were well aſſured, he would do as to his wiſdom ſhould ſeem meet: a better ſecurity in the nature of diſcretion, we never could have.—Under ſuch regulations, conditions, and reſtrictions, he ſaw no reaſon to refuſe them conſideraable indulgencies. There was, at preſent, very great obſcurity on the queſtion of the termination of the war; and, indeed, if it were to terminate to-morrow, we cannot form any idea of the condition which France will aſſume; it therefore appeared to him, there was probable permanence enough about the condition of the Catholics in this country, to make them fit objects of legiſlation; and as theſe proviſions are merely ſubſidiary to the proviſions of the Alien Bill, and the cuſtoms and inſtitutions of this country, ſurely, it was hardly fair to find fault with the Britiſh Legiſlature, which had done more for the laſt twenty years for the work of toleration, by ſtatutes, than had been done for centuries before, and for now pitying the condition of the Catholics, and giving to thoſe who are foreigners what we never have allowed to our own ſubjects of the ſame perſuaſion; while all that was required by the regulation now propoſed was, that they ſhould die a natural death; which was the fitteſt death they could die in a foreign country.—He wiſhed, however, that others ſhould not be excluded, when they come, as thoſe now among us did come, for ſhelter from a ſtorm; leaving that to the crown itſelf to conſider as a matter of delicacy, as it regarded that crown, which would not have been in his Majeſty's family if it were not for a revolution which was brought about chiefly in conſequence of what another royal family did towards the Catholics. Formerly it was the conſideration of the Legiſlature to reſtrain, now it had only to regulate the conduct of the Catholics in this country. There was but one point more to which he had to advert, and that was the power which it was propoſed ſhould be given to the magiſtrates to viſit theſe monaſtic houſes. He could not conceive that the magiſtrates would be guilty of any oppreſſion towards theſe perſons at their ſchools; this was to require no more than a neceſſary ſecurity in his apprehenſion. He did not believe, neither, that the return of the Catholics for the indulgencies of this bill would be evil, for that would be returning evil for good, of which he did not think the Catholics of this country would be guilty; but as it was part of the Catholic, as indeed it was of every religion, to endeavour to extend itſelf, it was neceſſary

neceſſary that there ſhould be ſome ſecurity againſt that extenſion; in a word, the reaſons why he ſupported this bill were, that it gave encouragement, in ſome reſpects, to thoſe who were the objects of it, by ſecuring them againſt penalties to which, in certain caſes, they would otherwiſe be ſubject—it put them under regulations which appeared to him to be neceſſary. and gave them ſome privileges which were not allowed to our own ſubjects of that perſuaſion. For all theſe reaſons he ſhould vote in favour of the preſent bill.

Mr. *Sheridan* obſerved, that Gentlemen who framed, and thoſe who ſupported this bill, had dexterouſly introduced much irrelevant matter, and ingeniouſly interwoven it with the few arguments which they thought proper to advance in favour of the meaſure. For his part, he would compreſs within a narrow compaſs whatever obſervations he had to make upon it; indeed, moſt of the Gentlemen who were ſuch warm partizans of the bill, had wholly gone aſide from any proof of its neceſſity, nor did they adduce a ſingle fact in corroboration of their opinions. None of them had ſo much as attempted to eſtabliſh any ground of miſconduct on the part of thoſe whom the bill was to affect; they did not even inſinuate any miſconduct. A learned Gentleman (Sir Wm. Scott) required a proof of ſome miſconduct before the bill ſhould be proceeded in—in this he agreed with that learned Gentleman, and would aſk the Houſe, were they about to proceed to a Legiſlative Act upon a mere rumour, and on no better ground than perhaps a local alarm that may have been excited without any cauſe whatever? They muſt, therefore, vote in mere confidence, or call for ſome proof of miſconduct, and look for ſome ground on which to juſtify their vote. To this laſt point he would principally limit himſelf, and ſolicit the attention of the Houſe. On the general merits or demerits of the Roman Catholic Religion, or any ſuch topics, he could not here ſtop to dilate. His wiſh was, and it muſt be the wiſh of the Houſe, to ſee a fair caſe made out, on which they might ground and regulate their proceedings. Surely ſome motives to conviction ſhould be felt neceſſary, before we acted harſhly towards thoſe whom we had received with humane and generous hoſpitality, and who had not been proved to have made an ungrateful return for that generous and hoſpitable reception. An hon. and learned Friend of his ſtyles it an enabling act, but were it ſo, it would have the effect of making the natural ſubjects of his Majeſty liable to the Alien Act. His learned Friend ſeemed either

not

not to have attended to the 31ſt of the King, or to have forgotten its enactments when he made theſe aſſertions. That act permits Roman Catholics to become deacons and prieſts, and enter as members into any Roman Catholic inſtitution or community they may think proper. The nature of theſe eſtabliſhments, as they exiſt here, ſhould not be confounded with ſimilar eſtabliſhments as they exiſt in other countries. Here the King's licence did not go to encreaſe the validity of monaſtic vows, or to puniſh a breach. There the arm of the civil power often interfered to puniſh ſuch violations.

Many compliments had been paid to the hon. Baronet who brought in this bill. No man could think higher of his virtues and his talents than he did; but on the preſent occaſion he ſaw no room for compliments on the delicacy and forbearance of the framers of the bill, for ſure he was that it was fraught with every thing that muſt inſult the pride, and alarm the feelings of the Roman Catholics of this country, than which deſcription of the community, none was more exemplary in their conduct as men and as ſubjects. It was telling the Roman Catholic Gentlemen, that they underſtood their intereſts, and could direct their feelings better than themſelves, and that they knew beſt how and where their children ſhould be educated. But after all, in what does this delicacy ſo much panegyrized conſiſt?—in abſtaining from ſpecifying particular places, or particular perſons, and from expoſing thoſe whom we have taken under our protection, to popular indignation and rage. This delicacy and forbearance would have no ſuch effect—on the contrary, he would contend that it would expoſe both all foreign and Engliſh Roman Catholics to be victims of popular fury. The meaſure muſt be felt as ſuch by thoſe who recollect the horrors that diſgraced the year 1780. Under the pretext of religious alarm, what was then ſought for but plunder, maſſacre and firings? If once aroufed, who can controul the ſavage madneſs of ſuch a mob, or prevent its running into a general undiſtinguiſhing cry againſt the whole body of Roman Catholics? This reflection muſt make the promoters of the meaſure ſhudder at the conſequences which it is more than poſſible it may produce—At leaſt it ſhould induce the Houſe to pauſe before they proceeded too haſtily to adopt it, or any meaſure that might riſk ſuch horrible and incalculable miſchief. But it will ſtill be ſaid there is no harm, no miſchief to be dreaded from it. But he would aſk, where was its neceſſity? Without a neceſſity, a well proved neceſſity, no legiſ-

lative act ſhould be proceeded to. But of late every Gentleman has become a law-maker, whether new laws were called for or not. If laws are enacted without the plea of neceſſity, or of ſome evident good to be derived from it, the multiplying of ſuch laws is only ſpreading imbecility over the ſtatute. your ſtatutes. Without a ſtrong caſe be previouſly made out, he muſt therefore again entreat Gentlemen not to lend their countenance to a meaſure which, if duly conſidered, may be found pregnant with the moſt horrible miſchiefs. When the mob in the year 1780 roſe againſt the Catholics, they had Parliament againſt them; for Parliament was then employed in repealing laws that bore hard upon the Roman Catholics; at preſent they would find the Houſe of Commons, at leaſt, countenancing injurious ſuſpicions of that claſs of their fellow ſubjects: ſhould not the Houſe be therefore cautious how, in times like the preſent, for many circumſtances rendered them critical times, they gave the leaſt room to the ferment and exploſion of popular indignation? He was ſorry to hear the nature and diſpoſition of the Engliſh Roman Catholics brought under diſcuſſion, and more ſorry he was to hear the times and temper of the time of Charles II. put in compariſon with the preſent times—there was no ſimilarity between them, and as for the ſpirit of toleration that was ſo loudly boaſted, for his part he muſt only regard it as a kind of mitigated perſecution. As to the proviſion in the bill which authoriſes magiſtrates to viſit and inſpect the Roman Catholic ſeminaries, he could think of nothing that more rudely violated all decorum and delicacy. Why not viſit and inſpect the places of education of other ſects; or why hold out the falſehood that the Catholics were more to be feared? It was wonderful how the framers of the bill ſeemed to be influenced only by ſhadows and alarms, and never thought of any thing like proofs to juſtify the neceſſity of the meaſure. How came it to paſs that on this occaſion they were ſo regardleſs of the *evidence of facts?* He had facts however to adduce, and he muſt beg pardon of thoſe new Legiſlators for attempting to obtrude any, as they ſeemed to them to be wholly unneceſſary. Mr. Sheridan then proceeded to read a number of documents, by which it appeared that all miſtreſſes of the Roman Catholic boarding ſchools had been put the queſtion, whether they had any Proteſtant young ladies under their care, or whether they were in the habit of admitting them as pupils? The uniform anſwer was, none, none, never. They were alſo aſked if they offered to educate, or did actually educate

Proteſtant

Proteſtant young women for nothing? They were all anxious to be exculpated from this charge of charity: they never were guilty of ſuch a thing, except in one, or perhaps two inſtances, and then the young women were Catholics, not Proteſtants. A fooliſh alarm had alſo been ſent abroad reſpecting the number of emigrant clergy now in this country; they were ſaid to amount to 5000, and perſons had even been abſurd enough to ſay that in one county alone they had converted 2000 houſemaids. How this wonderful converſion was brought about he could not well conceive. The emigrant prieſts ſpoke but little Engliſh, and our houſemaids he believed ſpoke as little French. Beſides, it was nothing to the purpoſe to bring in the conduct of the emigrant prieſts on this occaſion, as the bill in queſtion did not go to affect them in the leaſt. In no inſtance indeed had any argument been urged to ſupport the bill as it really ſtood. The framers of it indeed pretended that it was a bill to explain and amend, and render more effectual the 31ſt of his Majeſty, but when examined it would rather appear to be a bill to confound, deform, and render it nugatory. The hon. Gentleman next proceeded to ſhew that, out of the ſeventeen convents that were now eſtabliſhed in this country, only nine of them took in pupils. They were the only ſchools to which Roman Catholic Gentlemen could ſend their children to be educated; and was it not better they ſhould be educated here under the eye of their parents, and under the vigilant inſpection of government, than in France, or any other foreign country, where their political as well as moral principles were ſuppoſed to run ſuch riſque of being corrupted? Indeed, it was much to be apprehended that this bill has its origin in a mixture of other motives than thoſe that were merely religious, or it might poſſibly ariſe out of a controverſial ſpirit. This ſpirit had lately ſhewn itſelf more particularly at Winchester, where the emigrants were not very popular, as perhaps it was natural for the people to be ſomewhat angry at ſeeing the King's caſtle there garriſoned only by French prieſts. Mr. Sheridan then mentioned the controverſy that was now carried on between Dr. Sturges and Dr. Milner, on both of whom he beſtowed the praiſe of erudition and abilities. Dr. Sturges, he was ſure, did not want Parliamentary aſſiſtance to aid him in refuting Dr. Milner's doctrines, though the latter indeed was rather a formidable antagonist. He next inſtanced the cruel treatment received by the Abbe Pleury, in Hampſhire, who had been torn from

his house by an order from the Secretary of State, though it was not yet known what crime had been laid to his charge, and the most respectable testimonies had been given to his character by Gentlemen who had an opportunity of observing it for seven years. All these papers and documents he was ready to lay before the House, and he hoped their justice and candour would not think it too much, that this evidence should be enquired into before the bill was farther proceeded on. It was merely his wish that a Committee be appointed to inspect them, and report whether they saw any necessity for the measure. Nothing, in his mind, could be more injurious and insulting to the Roman Catholics, especially at the moment when the union was on the eve of passing into a law (an event from which they are taught to expect so much benefit), than to entertain a bill of this nature without even an enquiry into its necessity. It was one of the last acts of the British Parliament, and sorry he should be that the British Parliament should give its sanction to such an act with its last, its dying words. Mr. Sheridan concluded by observing, that if there was any doubt of the statement he had made, he only wished it to be put to the issue of an examination, and, under these considerations, he should end with a proposition "that the House do appoint a Committee to inquire into the state of these religious houses, &c. and proceed no further until it had some evidence upon the subject, upon which to deliberate," for which purpose he should move "that this examination be adjourned to Monday next."

The *Speaker* said, that the motion of the hon. Gentleman could not, at present, be put, for the question was, "that he do now leave the chair," which must be disposed of before any other be put; should it be the pleasure of the House to negative that question, it would then be competent to the hon. Gentleman to move his proposition, or indeed any other he should think good to make; but till then the rules of the House would not admit of it.

Mr. *Percival* said he could not concur with the hon. Gentleman who spoke last, nor with another on the same side of the House with himself, that this subject was too insignificant to deserve a debate in the House, neither did it appear to him to be unworthy of being the last solemn Act of the English Parliament; for it was, in his opinion, a measure extremely important to the religion of this country, and in that character highly interesting to us all, as intimately connected with some of the most endearing parts of our Constitution.

He

He would not accept of the challenge thrown out to discuss the evidence of the conduct of the Catholics, because in the view he had of the subject, the conduct and the character of these gentlemen was wholly immaterial to the question now before the House, which was a question of general policy, not on any ground of guilt in any of the parties connected with these societies. He went on another ground, a ground of regulation of Catholic Institutions in this country, a measure that appeared to him to be so far from being improper on account of the religious houses being of so late an establishment, which had been stated to be the mere establishment of to-day, that he would say, if, instead of their being established here to-day, they were only sailed from some part of the Continent, with intent to come into this country, it would not be too soon for the Legislature to set about making some regulations for them whenever they should arrive; for we not only had a right to do this, but it was of the very essence of an important branch of the Constitution, that some such regulation should take place. Some gentlemen might think the ground of necessity was not sufficiently clear; he was at variance in opinion with those who thought so. He considered it as the spirit of the Catholic persuasion to make as many converts as possible: indeed it was the principle of every religion to a given extent, but emphatically so of the Catholic, and, therefore, while we were talking of kindness to the Catholics, and while we expected gratitude from them for such kindness, we were not to be surprized if that gratitude consisted in their endeavouring to convert the whole nation into Catholics; nor ought we to be angry with them for such an attempt, for they believed they could not obtain for us a greater blessing than to make Catholics of us all; but it was our business to be on our guard against such a spirit, since it was inconsistent with the spirit of our Constitution. He said this the more readily from a conviction that the Catholic Religion will soon be established in France, and this the very latest accounts received from the Continent seemed to shew; for when the French entered Milan, the first thing done was to issue a proclamation, to assure the inhabitants that the Catholic Religion should be respected: indeed he who could assume the Mahometan in Egypt for political purposes, could not have much difficulty in assuming the Catholic in France; and therefore if the power of the First Consul continued many months, he had no more doubt than he had of his own existence, that the Catholic Religion would be

eſtabliſhed in France. Now he would not ſay a word againſt Toleration; there was not in England a man who had more eſteem for it than himſelf, but that did not compel him to lay aſide all precaution againſt the poſſible effects of the over-growth of popery in this country. He ſhould not wiſh to ſee the hair of a man's head hurt on account of his religious opinions, but that did not compel him to think that Catholics are the beſt ſubjects to this country. He thought the Bill ought to go into a Committee, in which he hoped to ſee ſome amendments adopted.

Dr. Lawrence took the ſame ground as Mr. Sheridan, and deprecated making any invidious diſtinctions between the Roman Catholics and the other ſects who differed in opinion from the Eſtabliſhed Church.

Sir *William Scott* deprecated the meaſure, and adverted to its peculiar impolicy at the preſent moment. It was well known, he obſerved, that the advocates for the Iriſh Union circulated throughout that country the idea that the Union would lead to the final relief of the Catholics, and he had reaſon to know the fact, that many of them were induced to ſign addreſſes in favour of the Union under that impreſſion. The Bill in queſtion went to brand them all as ſectaries, and even to treat them more harſhly. It was that way (in conſequence of ſuch invidious diſtinctions as already in ſome degree exiſted) that the Catholics moſt ſorely felt the oppreſſions under which they laboured: the marked diſtinctions which the Bill went to attach to the Catholics with reſpect to ſchools, would prove the moſt galling of any; the reſtrictions to be impoſed, and the powers given to Juſtices would be grievous in the extreme. In what related to the great concern of education, they were even branded with obloquy. Why? he would aſk, was the child of a Church of England Proteſtant more in danger from a Catholic than a Sectarian Tutor? The latter certainly differed as much from the doctrines of the Church of England as did the Catholics; and by ſome, they were held to differ more widely, and that much real danger was to be apprehended from the laxity of their tenets, on the ſcore of atheiſm and infidelity. Why then attempt to brand the Catholic with ſuch invidious diſtinctions, or increaſe the penalties upon them? At the preſent moment it was not only unjuſt, but impolitic. No doubt could be entertained, as was ſuggeſted by an hon. Gentleman arguing in favour of the Bill, of the illegality of the ſeminaries and endowments. He did not mean to ſay they were

were legal, but a proper diſtinction ſhould be drawn between thoſe and voluntary vows, which were not illegal, and upon theſe the Bill muſt materially trenched. He aſſerted that it was not poſſible to prohibit voluntary vows, without direct perſecution, and the Bill could not be proceeded with, conſiſtent with juſtice, wiſdom, and equity, particularly in thoſe proviſions which went invidiouſly to diſtinguiſh the Roman Catholics from every other ſpecies of diſſenters. At the preſent moment ſuch a ſtep muſt even be dangerous, when ſuch a ferment exiſted in the popular mind, ariſing from the effects of unavoidable ſcarcity, and the preſſure of the public burdens; the populace might want victims for their fury, and to have theſe perſons pointed out, by being branded with ſuch diſtinctions, and thoſe ſanctioned by the authority of that Houſe, might lead to conſequences ever to be deplored; and he muſt cenſure the idea that a degree of real danger in the country then called upon the Legiſlature to go the length of paſſing a Bill which in certain points undoubtedly went to eſtabliſh a ſyſtem of coercion.

The *Secretary at War* ſpoke ſhortly in explanation, and obſerved, that with reſpect to the poſitive advantages of Monaſtic Inſtitutions in a country he had given no decided opinion, it was a point on which he knew very able men entertained conſiderable doubts.

The queſtion being pretty loudly called for, the ſtrangers were ordered to withdraw, and a diviſion took place; when, there appeared for the Speaker's leaving the chair,

Ayes - - - 52 | *Noes* - - - 24

Majority - - - 28

The Houſe then reſolved itſelf into a Committee on the Bill *pro forma*, and the Chairman having reported progreſs, and obtained leave to ſit again, the further proceeding on the Bill was ordered for the next day.

The report of the Millers' Regulation Bill was received, ordered to be printed, and to be taken into further conſideration on Wedneſday.

Several of the remaining orders of the day were poſtponed.

The Militia Subalterns Allowance Bill was read a ſecond time, and committed for the next day.

The Houſe in a Committee, Mr. Long in the chair, went through the Waſte Paper Bill, the report of which was ordered to be received the next day.

The Houſe then went into a Committee upon the Bill for repealing the Duties upon Perfumery, at which the ſame Gentlemen

Gentleman presided, and resolved that the said Duties should cease and determine upon the 5th day of July next.

The Committee, upon the motion of Mr. Rose, agreed to a clause, permitting (as we could collect) those Persons who might have a quantity of Stamps on hand at the time of passing the Bill, to exchange the same at the Stamp Office for Stamps of other descriptions.

The House then resumed, and ordered the report to be received the next day.

The Land Tax Commissioners Bill was read a third time, and passed; and Mr. Long was ordered to take the same to the Lords for their concurrence. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 24.

The Lancaster County Common Pleas Bill was read a third time, and passed.

UNION.

The *Chancellor of the Exchequer* moved the order of the day for the third reading of the Union Bill, which being done,

Mr. *Tierney* observed, that he wished to introduce a clause embracing one of the objects sought by the resolutions proposed on a late occasion by an hon. Friend of his (Mr. Grey) then absent. What he alluded to was, the number of Members intended to compose the United Parliament, which being not less than 658, could not fail to cause much inconvenience. He wished, therefore, that a clause should be added to the Bill, enabling the United Parliament to reduce the number, if that should be deemed expedient. The necessity of adopting such an amendment must be obvious, when it was recollected that by the present Bill the resolutions now forming the basis of Union, are enacted to continue the basis for ever.

The *Chancellor of the Exchequer*, in reply, said, that the clause mentioned by the hon. Member was new matter, and could not be even entertained for discussion, without creating a delay that must in the present advanced state of the session very materially interfere with other public business. The present Bill contained a mere recital of the Acts of the Irish Parliament and of the resolutions agreed to by the Legislatures of both countries, and could not therefore be impeded in its progress without inconsistency. The Bill was now passed and sent to the Lords.

Mr. *Tierney* said, that as the delay in presenting the promised Account of the Subsidies prevented him from moving for other accounts connected with a motion it was his intention to make, similar to the one of last year on finance, he wished to be informed by the right hon. Gentleman over against him, when it was intended to lay that account before the House; the treaty with the Emperor, of which nothing was heard lately, but which it was said had been attempted to be concluded two months ago, it was natural to wish to hear either given up in terms, or explained in some degree to the House. But he principally wished to be informed by the right hon. Gentleman concerning the subsidies, and trusted that it would at least be stated on what day the right hon. Gentleman meant to bring the subject forward. He was of opinion, that in the present state of affairs on the Continent, it would be better not to give any subsidy at all.

The *Chancellor of the Exchequer* said, he was unable to give any conclusive answer to the hon. Member. The subsidies would certainly be brought forward, but on what day he could not then state. With respect to the treaties, it had not ceased to be his wish to accomplish them, and he expected soon to lay them before the House. Nothing in the rumours from the Continent which might have recently reached gentlemen, could justify the House and the Country in relaxing from those exertions for the vigorous prosecution of the war, in concert with our allies, which it was so necessary to continue, in order to bring it to a successful determination.

Mr. *Tierney* thought the House had a right to be informed when the subject of subsidies would be brought forward. In the present state of the session it was probable that all the public business would be gone through in three weeks, and he thought that at least a fortnight's notice ought to be given of so momentous and interesting a subject as subsidies. Less important business had, in former times, produced a call of the House.

Mr. *Fekyl* hoped that the right hon. Gentleman would not object to a motion for a call of the House. The late events on the Continent had wholly changed the aspect of European politics, and surely it was not too much to expect that a very full attendance of Members would be given on such an occasion.

The *Chancellor of the Exchequer* said, he saw no reason for a call of the House.

Mr. *Sheridan* ſaid, that at ſuch a criſis as the preſent, the preſence of Members was particularly neceſſary. The communications and news of the day fully juſtified gentlemen near him in wiſhing for a call of the Houſe; and he then aroſe for the purpoſe of giving notice that he would move for a Call of the Houſe on Friday next.

The *Chancellor of the Exchequer* obſerved, that the news of the day might not be authentic. It had come from Calais in an unauthenticated manner, and was received there as a mere telegraphic communication. He did not, however, mean to ſay, that it might not be authentic.

SCOTCH DISTILLERIES.

The Houſe went into a Committee on the Scotch Diſtilleries Duty Bill.

Mr. *Adam* being heard againſt the Bill, ſeveral reſolutions were moved by Mr. Roſe, and agreed to.

The Houſe being reſumed, the report was ordered to be received the next day.

QUARANTINE.

On the motion of Mr. Sylveſter Douglas, the Houſe went into a Committee on the Quarantine Acts.

A reſolution was adopted, which ſtated it to be the opinion of the Committee, that the ſum of 65,000l. ought to be employed in erecting a Lazaretto on Chepney Hill, and ſeveral other reſolutions relative to the ſubordinate purpoſes of a new ſyſtem of quarantine, including the duties, &c. to be paid by veſſels that come under the operation of the intended law.

The Houſe was reſumed, and the report ordered to be received the next day.

MONASTIC INSTITUTIONS.

Sir *H. St. John Mildmay* moved the order of the day for the Houſe going into a Committee on the Monaſtic Inſtitutions Bill.

Mr. *Sheridan* ſtated at ſome length his objections to the motion, and having dwelt with much ingenuity on the abſurdity of the Bill in general, concluded by expreſſing an hope that the Houſe would reject it altogether that evening.

Mr. *Erſkine* ſupported the motion, and contended that the Bill enacted no ſeverities.

The *Secretary at War* concurred in opinion with Mr. Sheridan in much of what had fallen from that hon. Gentleman, and urged ſeveral very ingenious arguments to induce the Houſe not to agree to the motion. He concluded with taking notice

notice of the abſurd mode of reaſoning by which the Bill was ſupported. It was ſaid that the meaſure was a favour to the Catholics; yet it was a favour which they conſidered as a very great grievance.

Mr. *Buxton* ſaid, he was as great a friend as any man to toleration; he was willing to permit the free exerciſe of every religion; but he never would agree to an inſtitution that militated againſt the free Conſtitution of this country. The Popiſh religion was hoſtile to liberty; and it was neceſſary to prevent that religion from aſſuming an eſtabliſhment which might encroach on the free Conſtitution and the Religion of this country.

Mr. *Wilberforce* ſaid, he was equally adverſe to ſuch inſtitutions; but he did not think that any danger was likely to ariſe from the Roman Catholic ſocieties now in this kingdom; nor did he know whether there were ſuch ſocieties as had been mentioned as the ground of this Bill. He would therefore oppoſe this Bill, becauſe he conceived it to be unneceſſary.

Mr. *Wm. Smith* ſaid, that this was either an enabling or a reſtraining Bill; it muſt be one or the other. If, as had been ſtated, it was the former, the Roman Catholics did not deſire it, on the contrary, they conſidered it a ſevere penal act. If it was a reſtraining Bill, let evidence and facts be produced to ſhew that it was neceſſary: none were produced. Therefore the hon. Mover and Supporters were in a dilemma which they could not get out of, and it was evident they had no ground for ſuch a meaſure.

Mr. *Bragge* ſupported the Bill.

The Houſe having then reſolved itſelf into a Committee, the Chairman, on the motion of Mr. Sheridan, who objected to the thinneſs of the Houſe, and after ſome obſervations from Mr. Percival, reported progreſs; and the Houſe being reſumed, the Committee was ordered to ſit again on Friday next. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JUNE 25.

The Houſe ſent a meſſage to the Commons, requeſting them to ſend up the exemplification of the Parliamentary Repreſentation Act of Union paſſed by the two Houſes in Ireland, and laid on the table of the Houſe of Commons. The meſſengers returned with the exemplification in queſtion.

In the Committee on the Bakers Bill, the clauſe authorizing the magiſtrates to weigh loaves of bread twenty four hours after it has been baked, was omitted. It is underſtood that there is a clauſe to the ſame effect in the bill now pending in the Houſe of Commons.

Several bills were now read a third time, and the reſt on the table went through a ſtage each.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 25.

Colonel *Gaſcoyne* gave notice that on Friday he ſhould move that on a future day, which he would then name, he would move for a Committee to take into conſideration the Journeymen Combination Act.

The report of the Committee on the Quarantine Laws was received, the reſolutions agreed to, and a bill ordered to be brought in purſuant to the ſame.

Mr. *Secretary Dundas* preſented a meſſage from his Majeſty, the purport of which was, that his Majeſty had entered into a convention with his ſerene Highneſs the Stadtholder, to take into his pay the Dutch ſhips, ſeamen and troops, that had been taken at the Helder. He had ordered copies of theſe papers to be laid before the Houſe, and relied on his faithful Commons for enabling himſelf, during the war, of the ſervice of theſe ſhips, ſeamen and troops, in ſuch a manner as ſhould beſt conduce to the intereſts of the country.

Mr. *Dundas*, after moving an addreſs of thanks to his Majeſty, moved that his Majeſty's meſſage be taken into conſideration the next day.

Mr. *Tierney* thought this a ſubject of great magnitude and importance. The preſent was not a ſtate of things in which the Houſe ſhould conſent to take any more ſhips or troops into pay. Further time ſhould therefore be given to conſider of the tendency of his Majeſty's meſſage.

After ſome further converſation between Mr. Dundas and Mr. Tierney, it was agreed that the Houſe go into a Committee on his Majeſty's meſſage the next day, and that the report be received on Monday.

A meſſage from the Lords informed the Houſe, that their Lordſhips had agreed to the bill for allowing the uſe of ſugar in breweries—to the Soldiers Bread Bill,—and ſeveral other public and private bills.

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The Perfumery Bill, and the Waſte-paper Exemption Bill, were read a third time and paſſed.

The report of the Committee on the Scotch Diſtillery Bill was received, and the bill ordered to be read a third time the next day.

The Lords by their meſſengers requeſted an exemplification of the Bill that had paſſed the great ſeal of Ireland, reſpecting the ſtate of the repreſentation after the Union.—The exemplification was ordered to be delivered to the meſſengers to be carried by them to their Lordſhips.

Mr. *Robſon*, underſtanding that the Soup Tax was to go on, in order that all might pay equal, he begged leave to move, that there be laid before the Houſe an account of the tax upon inhabited houſes in the ſeveral extra-parochial places within the bills of mortality and the pariſhes of St. Pancras and Mary-le-bone, diſtinguiſhing in each, ſuch extra-parochial place, and the particular amount in each for the year ending the 5th of April, 1800. Ordered.

The *Attorney General* brought in a bill for the better preſervation of the game in the royal foreſts; it was read a firſt time, and ordered to be read a ſecond time on Friday.

The Houſe having gone into a Committee on the Executory Deviſes Bill, Mr. Windham oppoſed it as tending to diminiſh the intereſt which parents took in providing for the future proſperity and happineſs of their progeny.

Lord *Hawkeſbury* approved of it as being moſt conſonant to the principles and practice of the laws of the kingdom.

Mr. *Pierrepont* and Colonel *Elford* were for putting off the further conſideration of it till that day three months; but after ſome obſervations from the Maſter of the Rolls, it was agreed that the report be received on Wedneſday next. The bill was ordered to be printed as amended.

The Houſe then proceeded to take into further conſideration the report on the bill for eſtabliſhing a London Company for the manufacture of flour and bread; and counſel was called and heard both in favour and againſt the bill.

The other orders of the day were then read and deferred. Adjourned.

HOUSE OF LORDS,

THURSDAY, JUNE 26.

The ſeveral bills on the table were proceeded on in their reſpective ſtages. Thoſe which were ordered to be committed went through the Committees.

GENERAL

GENERAL INCLOSURES.

The Duke of *Bedford* called the attention of the Houſe to the reſolutions lately ſent up from the Commons reſpecting a General Incloſure Bill. He ſaid they were of great importance to the country, and required the moſt deliberate conſideration. It was his intention to move that the reſolutions in queſtion ſhould be printed and circulated among their Lordſhips, in order that a thorough knowledge of the ſubject might be obtained. His Grace ſaid, he would propoſe an early day for their diſcuſſion. In their preſent ſhape they appeared to him to be ſalutary, but not quite fit for adoption. At any rate he diſapproved of the mode of carrying them into effect by a general bill, as propoſed in the Houſe of Commons, but he fully admitted that all meaſures tending to facilitate general incloſures, were highly uſeful and important, and therefore he was ready and willing to ſupport it as a general propoſition. though not exactly in the way propoſed by the Houſe of Commons. The Duke ſaid, he hoped, when the ſubject ſhould come under diſcuſſion, the noble Lords would feel it their duty to attend. His Grace concluded with moving, that the reſolutions on Bills of Incloſure be printed.—Ordered.

The order of the day for the third reading of the Lottery Bill for Pigot's Diamond, being read,

The Duke of *Norfolk* roſe and re-capitulated the ſeveral objections that he had urged againſt it on a former evening. He queſtioned the policy of eſtabliſhing a precedent for the encouragement of every perſon who had acted on ſimilar mercantile ſpeculations in India to come to Parliament, and expect at the hands of the Legiſlature a means of profitably diſpoſing of their bargains. The Duke ſaid, he ſhould be happy to hear any ſolid and convincing reaſons that could be offered in ſupport of the bill, but although he had attended to the ſtatements before the Committee, they had not made much, if any, impreſſion on his mind. It appeared that eminent lapidaries, on principles known to themſelves, but to which he and ordinary men were utter ſtrangers, had valued the jewel at 30,000l. though in the circumſtances of the country it was impoſſible to get that ſum for it, it having been upon ſale for years, and a higher price than 10,000l. had not been bid for it. Finding this, the owners of the diamond came to Parliament and propoſed, by their aſſiſtance, to raiſe 22,000 guineas on the publick, for that which was intrinſically worth 10,000l. only. Their plan was to have

11,000

11,000 tickets at two guineas per ticket, there furely was ſomething of impoſition in this. Beſides, a private lottery of this ſort would evidently interfere with the ſtate lottery, which was a meaſure of financial benefit, and adopted on that principle. Two lotteries going on at the ſame time could not but claſh with the intereſts of each other, and the former having the acquirement of 22,000 guineas, would neceſſarily divert ſo much money from the lottery, calculated with a view to ſupply the neceſſities of the ſtate. This was directly an attack on the principles on which the ſtate lottery was founded, and militated againſt the laws to prevent inſuring, &c. Having dwelt at ſome length on theſe and ſimilar points, his Grace ſaid, he ſhould be happy to hear any noble Lord aſſign reaſons that would juſtify him for voting for ſuch a meaſure, but till he had done ſo, he muſt oppoſe the bill, though he did not intend to trouble the Houſe by taking a ſenſe of it by a diviſion.

The Earl of *Weſtmoreland* touched generally on the principles that had been adverted to reſpecting State Lotteries. He differed from the noble Duke on that view of the ſubject, as he conceived the preſent bill would not interfere with them. With regard to the principles that ought to guide the Legiſlature, he looked to their conduct as manifeſted in their former acts. Parliament had often entertained propoſals of a ſimilar kind, and they never had been held to be dangerous precedents. He inſtanced the caſes of Meſſrs. Adams, with their Adelphi Building, and Cox and Lever, with their Muſeums, and the lottery allowed to Mr. Macklin not two years ago. He contended that there was no fear of the preſent bill acting as a dangerous precedent, and laid ſome ſtreſs on the peculiar circumſtances of the preſent caſe, ſtating that the diamond was bought by the late Lord Pigot on an extenſive ſpeculation, it having been intended for an ornament for the crown of England. That deſign, however, had failed, and it came into the poſſeſſion of four individuals. From the nature of the property it could not be divided, and the proprietors had long endeavoured to ſell it, but were not able to obtain more by private ſale than one-third of its real value. The proprietors were under peculiar circumſtances of difficulty: one of them was a very old and infirm perſon, and not very likely to live long, and if he died before the diamond could be diſpoſed of, his ſhare would deſcend to very young minors, ſo that many years muſt elapſe before it could be ſold again. He alluded to the ſervices of Lord Pigot, and

and the claims of his family upon the indulgence of the Legiſlature. In fact the bill was not likely to interfere with the State Lottery; there could in fact be no danger as to its clashing with it, as the plan of the diamond lottery under the bill was, that the prize ſhould be determined by the drawing of the correſponding number which was firſt drawn in the State Lottery, ſo that the prize would be ſhortly decided, and in all probability no opportunity afforded or held out for gambling by inſurance, &c. Beſide, the principle was not injurious upon the whole, as likely to encourage extenſive ſpeculation, by ſhewing merchants that they need not ultimately fear to loſe, as the candour and liberality of the public would prevent it. There was not any reaſon whatever for entertaining apprehenſions that it would eſtabliſh a dangerous precedent, but that it was a bill that might ſafely paſs. His Lordſhip, touched on the expences already incurred by the parties, obſerving that the bill had gone through the other Houſe without any fault having been found with its principle, and that it had paſſed their Lordſhips' Houſe even to its laſt ſtage without objection, till on the third reading the noble Duke had thought proper to call its principle in queſtion. Having thus anſwered the noble Duke's objections, the Earl ſaid he had made up his mind upon the bill, and hoped the Houſe would ſuffer it to paſs.

The Duke of *Norfolk* explained. He maintained that the diamond was worth only 10,000l.

> "Becauſe the value of the thing,
> Was what at market it would bring."

Diamonds could neither clothe nor feed the human ſpecies. Whoever obtained the prize, the Duke obſerved, would only be one poſſeſſed of 10,000l. The overplus, therefore, he muſt contend, was unjuſtly raiſed on the people. With reſpect to the particular caſe, or the peculiar claims of the Pigot family, a ſtatement of the latter idea, introduced into the preamble, ſetting forth, that it was in conſideration of ſervices performed for the public, &c. would fully ſatisfy him.

The Earl of *Carliſle* ſaid, he conceived that the idea of the noble Duke, of inſerting ſuch a ſtatement as he had mentioned in the preamble, was wholly unneceſſary, as the Legiſlature would be guided by the circumſtances of each particular caſe, and not blindly follow precedent. He mentioned a few things in favour of the bill, and ſupported the argument of the Earl of Weſtmoreland.

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The Duke of *Norfolk* said a few words further, in explanation.

The bill was then read a third time, and passed.

Lord *Grenville* delivered a Message from his Majesty, in respect to a Convention entered into by the Hereditary Prince of Orange, Stadtholder and Captain General of the United Provinces, in reference to certain ships and seamen.

An Address of thanks for his Majesty's gracious communication was moved, and agreed to, and the Lords with white staves were ordered to wait on his Majesty, and desire to know when he would be pleased to be waited on with the same. Ordered.

UNION BILL.

Lord *Grenville* moved the order of the day for the second reading of the Union bill. It was read a second time accordingly. Ordered upon motion to be committed for the next day. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 26.

There being only thirty-seven Members present at four o'clock, an adjournment of course took place.

HOUSE OF LORDS.

FRIDAY, JUNE 27.

Counsel being heard on the writ of error from the Exchequer Chamber, Moore *v.* Dean, a question was propounded to the Judges, which they desiring time to consider, the judgment was adjourned to Monday se'nnight.

The several bills on the table passed a stage each, and among others the Union Bill passed the Committee without alteration.

UNION BILL.

About a quarter before five, Lord *Holland* entered the House, and rose to complain that a bill of so much importance as the Union Bill, every syllable of which called for particular observation, should have been submitted to a Committee at so early an hour, and before noble Lords who might wish to animadvert upon it, had reached the House. Such precipitation, his Lordship said, he could not but consider as highly indecent. It was taking the House by surprise on a question of great moment, because during the little

time that he had been entitled to a ſeat among their Lordſhips, he had ever conſidered it was underſtood to be a general rule that public buſineſs ſhould not commence before five o'clock.

The *Lord Chancellor* left the woolſack to obſerve, that the bill had been read a ſecond time the preceding day, when the Lords had been ſummoned to attend; but no one noble Lord had ſaid a word upon the ſubject; and, although the noble Lord himſelf, who now complained of precipitation, had heard it ordered to be committed for that day, he had not thought it neceſſary to move that the Houſe be ſummoned. It was not therefore foreſeen that any noble Lord meant to object to it in the Committee, the bill conſequently went through the Committee in its due courſe of order with the reſt of the bills on the table.

Lord *Holland* ſaid, he knew not that it was at all neceſſary that any noble Lord who wiſhed to make his obſervations on a bill of what nature ſoever, was bound to apprize the Houſe in what ſtage he meant to bring them forward. Five o'clock was the hour before which it was generally underſtood that no public buſineſs would be entered upon, and ſurely a public buſineſs of greater importance than the Union could not be imagined; it was highly neceſſary, therefore, that either five o'clock, or ſome other ſtated hour ſhould be fixed and aſcertained for the commencement of public buſineſs.

SUBSIDY WITH THE EMPEROR OF GERMANY, AND THE ELECTOR OF BAVARIA.

Lord *Holland*, obſerving Lord Grenville had juſt come in, roſe to aſk for ſome information from his Majeſty's miniſters on a ſubject, reſpecting which he felt himſelf entitled to receive a direct anſwer. It was now four months ſince his Majeſty's Miniſters had brought down a meſſage from the Crown, ſtating that his Majeſty required a proviſional ſubſidy in conſequence of a ſubſidiary treaty then negociating with the Emperor of Germany and the Elector of Bavaria, which was likely to be finally adjuſted very ſhortly, and by virtue of which conſiderable aſſiſtance would be furniſhed to the allied forces againſt France. His Lordſhip ſaid, he had expected long before this to have heard whether that treaty had received its completion, and in that caſe to have ſeen it on the table. He owned he was ſomewhat curious to ſee the articles of that treaty; and to be able to aſcertain, whether the Emperor of Germany had reſerved to himſelf the

power

power of making peace with France without the conſent and concurrence of this country or not. As far as he could judge from the public events on the Continent, his Majeſty's Miniſters had ſhewn their utter incapacity to conduct the war, and had wholly miſcalculated the forces of the allies, and the probability of the ſucceſs of the preſent campaign. Having waited patiently for four months to ſee the iſſue of this treaty, for which a proviſional ſubſidy had been granted, it would not, he truſted, be denied that he had a right to call for an explicit anſwer.

Lord *Grenville* ſaid, it was ſcarcely neceſſary for him to give any anſwer. The noble Lord had miſtaken the purport of the meſſage in queſtion, which was, that a ſubſidiary treaty was then negociating with the Emperor of Germany and the Elector of Bavaria, and that when it was completed he ſhould receive his Majeſty's commands to lay it before the Houſe. All he could ſay upon this head was, that he had not yet received his Majeſty's commands to that effect. As to all the reſt of the noble Lord's ſpeech, charging Miniſters with having miſ-calculated the events of the campaign, their Lordſhips would doubtleſs agree with him that it was wholly unneceſſary to give any reply whatever.

Lord *Holland* ſaid, was he then to underſtand that no ſuch treaty had been concluded, at leaſt, that it had not reached this country?

Lord *Grenville* declared, that what he had already ſaid was the only anſwer that appeared to him to be fit, or neceſſary for him to give.

Lord *Holland* then ſaid, he was to underſtand that the noble Secretary of State had given no anſwer at all. Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, JUNE 27.

The Bread Aſſize Bill was read a third time and paſſed.

The Quarantine Bill was read a firſt time, and ordered to be read a ſecond time on Monday.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Neutral Ships Bill, the Corn Importation Bill, and ſeveral private bills.

The *Attorney General* gave notice, that he would on Monday move for leave to bring in a bill which had two objects; the one for altering the law of treaſon in caſes where a direct

attack is made on the perſon of the King; the other for ſecuring the perſons of thoſe who ſhall be acquitted of any capital offence on a plea of infanity. Granted.

Mr. *Brogden* moved, that there be laid before the Houſe an account of the quantities of foreign wheat imported into the port of London from the year 1781, diſtinguiſhing the quantities of each year.

The *Chancellor of the Exchequer* ſaid, that ſuch a motion could not be acceded to unleſs the hon. Gentleman gave ſome reaſons for the grounds on which he made it.

Mr. *Brogden* ſaid, that an incorporation company was about to be eſtabliſhed, a ſcheme which he thought very miſchievous; the millers and bakers wiſhed to ſhew all the reaſons why corn had ſo much riſen in price, and it was for that purpoſe they wiſhed to know what quantities of foreign wheat had been imported within that number of years.

Mr. *Secretary Dundas* ſaid, the ground of his objection to the motion was ſhortly this, that he thought it would not be politic for the Houſe by a vote to give perſons notice how long they may ſafely hoard up their corn, by informing them how much has been imported from abroad.

Mr. *Tierney* ſaid, that whatever quantity of foreign wheat was imported, it required, from its inferior quality, that an equal quantity of Engliſh wheat ſhould be mixed with it.

Mr. *Roſe* ſaid, he did not believe any imputation had been laid on any one; the only doubt was, whether the price of flour had been as cheap as it ought to be? He knew, he ſaid, of his own knowledge, and from experience, that good foreign wheat will make as good flour as Engliſh wheat. Certainly wheat of inferior quality might require to have Engliſh wheat mixed with it.

Mr. *Brogden* ſaid, it was material to the millers to ſhew, that during the time of the Albion Mills the great quantity of wheat then uſed was Engliſh.

STATE OF THE CAMPAIGN.

Mr. *Sheridan* ſpoke to the following effect:—I riſe, Sir, in purſuance of the notice I gave on Tueſday laſt to move that the Houſe be called over this day fortnight. When I firſt intimated my intention to make this motion, the calamitous circumſtances which have lately taken place on the theatre of war were repreſented to be unauthentic rumours. Since that time, however, I am informed that the fulleſt confirmation of thoſe events has been received, and that no farther doubts of the ſucceſſes of the enemy can be entertained. It

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is not my deſign to avail myſelf of this opportunity to diſcuſs the general queſtion of peace or war, or of the propriety of entering into negotiation with the French Republic. I ſhall confine myſelf to the topics of argument which the motion I make naturally ſuggeſts. I ſhall enquire ſhortly, whether the ſituation in which our allies now ſtand is ſuch as to produce any change in the engagement by which we are connected with them for the proſecution of the conteſt? Whether thoſe circumſtances are ſufficient to induce the Houſe to review with attention the ſtate of public affairs before they ſeparate for a long interval? Whether it is fit at ſo eventful a moment, for the repreſentatives of the country to leave the queſtion of peace in the hands of thoſe Miniſters who have brought the nation into its preſent ſituation? Whether it is becoming the duty and the dignity of the Houſe to truſt implicitly to the conduct and the wiſdom of men whoſe repreſentations have uniformly been belied, whoſe ſchemes have been entirely defeated? To enquire whether we ought to ſeparate without preſenting to his Majeſty that counſel which the exigency of affairs ſo loudly calls upon a Houſe of Commons to lay before the Executive Magiſtrate?

The laſt time the ſubject of peace and war was diſcuſſed, on occaſion of that anſwer to the overtures of France, which ſome had conſidered as ſo magnanimous, but which I muſt ever view as no leſs impolitic than undignified, an hon. Friend of mine, in a ſpeech of prophetic wiſdom, which muſt long continue in the remembrance of the Houſe, juſtly ſaid that the true object of the continuance of the war was to reſtore the family of Bourbon to the throne of France. That indeed, Sir, and that alone was the cauſe to diſguiſe which ſo many pretexts were urged. On the diſcuſſion to which I allude, there were, as far as I recollect, ſix arguments on which the propriety of rejecting the reſpectful and apparently ſincere overtures of peace made by Bonaparte was defended. In recalling thoſe topics of debate, employed on the other ſide of the Houſe, I will venture to appeal to any man of plain underſtanding, whether we have not now the moſt complete evidence of facts, to prove that the reaſonings of Miniſters were completely fallacious, and that all their hopes of ſucceſs are overthrown? I will aſk, whether there remains any ground of perſeverance, with which we were formerly deluded; whether any tattered fragment of all the ſanguine expectations with which we were flattered, exiſts?

It

It was ſaid, that we ought to wait till we could judge of the character of Bonaparte, and what would be the ſtability of his power. Upon this head have we not the means of forming a tolerable judgment? We were next told what would be achieved by the perſevering co-operation of Ruſſia; and when the proſpect of aid from that quarter diſappeared, we were conſoled by promiſes of great efforts from the aſſiſtance of the Elector of Bavaria; here too the calculations of Miniſters have entirely failed. In the third place, the greateſt hopes of ultimate ſucceſs were held out from a cloſer intimacy and connection, which had been negociated, and was on the point of being finally concluded with the Emperor of Germany. Reſpecting this tranſaction, ſo long announced, I know not what to ſay. Hitherto we have ſeen no evidence of its completion—none even that ſuch an affair had ever been at all the ſubject of diſcuſſion between the powers who were to be the parties in it. Fourthly, the entire re-poſſeſſion of Italy by the victorious arms of the allies was repreſented as the pledge of future ſucceſs, the bulwark againſt freſh reverſes. What now is the ſituation of affairs in this reſpect? All theſe ſanguine ſpeculations overthrown, and Italy again ſubject to the victorious arms of Bonaparte. The fifth argument of hope was the increaſed diſcontent of the Royaliſts, deſirous of ſeeing the government of one man reſtored in the perſon of the Hereditary Prince; the indignation of the Jacobins, to ſee their power demoliſhed; and the rage of the Republicans, who would never forgive the man who had founded his own dominion on the ruins of popular government. All theſe different parties were to unite againſt Bonaparte, and by the co-operation of our arms, the Houſe of Bourbon was to be replaced on the throne of their anceſtors. The expectations, too, have proved as vain and fallacious as moſt of thoſe reaſonings which the right hon. Gentleman draws from the nature of mankind. The laſt argument was, the reduced ſtate of France, the ruin of her armies, and the impoſſibility of her ever being able to bring into the field a force equal to cope with that of the allies—Compare with this ſtatement the republican arms victorious on every ſide, and the conqueſts of the Auſtrians wreſted from them by a ſucceſs the moſt deciſive. Theſe were the ſix arguments by which that reply, ſo arrogant and unſuitable, was juſtified.

All theſe fine reaſonings being thus overthrown by the moſt unqueſtionable evidence of facts, it ſurely will not be unreaſonable

trouble to require from Ministers fix new arguments for our perseverance in the conteſt. At all events, ſurely it is not too much to ask the Houſe not to continue their confidence in the preſent Miniſters, for reaſons which, if they had any plauſibility, are now detected abſurdities. Surely it becomes the Houſe ſeriouſly to reflect, in this awful criſis of affairs, whether they will continue their ſupport to thoſe meaſures which led to ſuch unexampled diſaſter—whether they will continue to truſt thoſe Miniſters, who have proved themſelves no leſs unacquainted with the ſtate of our enemy, than with the means and the intentions of our allies; as incapable of conducting the war with glory as they have been unwilling to reſtore the bleſſings of peace to their country. If overtures of peace ſhould be made, would it be proper to leave to their own diſcretion thoſe men who have refuſed to profit by the faireſt opportunities of negociation? After the complete failure of all their plans; after all their abuſe of that great man, for ſuch he undoubtedly is, they muſt indeed feel awkward in being compelled to treat with him. Goaded by feelings of ſhame and diſgrace, they will naturally be unwilling to reſort to thoſe meaſures which, in them, muſt be attended with ſuch ignominy. They muſt be diſpoſed then to prolong the war, upon the moſt deſperate calculation of ſome future event which may render their fall more eaſy, and ſave them from the mortification of ſo ſoon retracting all their opinions, and confeſſing the abſurdity of their conduct. Whatever may be the feelings of Miniſters, however, it is not for the Houſe to ſacrifice to any delicacy for their ſituation the higher duties which it is bound to diſcharge. It is of the laſt importance to put a ſtop to the calamities which deſolate Europe, and to the bloodſhed which the continuance of the conteſt muſt involve. It is for the Houſe to interpoſe, and to ſpare ſuffering humanity, and to ſacrifice that ſullen obſtinacy in a hopeleſs conteſt, which miniſterial pride might dictate to the true intereſts of England and of Europe.

When the laſt overtures for peace were diſcuſſed, a great deal of argument was founded upon the character of Bonaparte. I would put it, therefore, to the impartial feelings of the Houſe, whether or not every action of Bonaparte ſince that period has not tended to raiſe him in the opinion of all good men? That he anticipated the election of his countrymen in his aſcent to power is not to be diſputed—that he was a ſelf-appointed ruler is not to be diſputed. Perhaps, however, he

was

was aware that the courſe he followed was the only one by which the former weak and inefficient Government of France could be diſplaced, and by which the French Republic could be ſecured againſt the efforts of foreign enemies. That he has more power than is conſiſtent with the liberty of his country may be true: but, perhaps he ſaw that this power was neceſſary in the arduous circumſtances in which France was placed, and to enable him to maintain the conteſt in which ſhe was engaged. It is, indeed, ſhameful to reflect upon the manner in which the character of Bonaparte was vilified in thoſe diſcuſſions: not only with his irreligion, his immorality, &c. attacked, but his abilities were treated with the moſt ſupercilious contempt, and even his military talents turned into ridicule; the conduct of an Engliſh naval captain was contraſted with his military exploits; and it was gravely ſaid in this Houſe that any Engliſh ſailor was capable of detecting the ignorance of Bonaparte in military affairs! Such were the unmanly attacks upon a man who has achieved exploits which eclipſe the fame of all the greateſt commanders from the days of Hannibal to the preſent time—a man, "*cujus adoleſcentia in ſcientiam rei militaris, non alienis præceptis ſed ſuis imperiis, non defenſionibus belli ſed victoriis, non ſtipendiis ſed triumphis, eſt erudita.*" I do not mean to pronounce a panegyric upon Bonaparte; and I ſhould have paſſed over his perſonal merits in ſilence, had not his character been brought ſo much into debate on former occaſions. Since his elevation, he has acted with ſingular humanity, moderation, and magnanimity. We, therefore, upon this point, have the evidence of facts which Miniſters profeſſed to deſire. I have ſaid this much becauſe there are ſome occaſions where it is juſt to give credit to an enemy for the great qualities he may poſſeſs; ſure I am, that there are none in which it is fit or honourable to cover him with obloquy and abuſe. I have ſaid that Bonaparte is in poſſeſſion of more power than is conſiſtent in ordinary times with freedom. I confeſs that I have wiſhed to ſee a ſyſtem of liberty eſtabliſhed in France, and that I ſaw no chance of that effect from the reſtoration of the ancient monarchy, or the ſucceſs of the arms of the coalition. I hope therefore that Bonaparte having freed France from the danger of foreign interference, and the diſgrace of receiving a king from the arms of the coalition, will diſplay the moderation of a truly great man, and endeavour to ſecure the happineſs of France by contributing to the eſtabliſhment of thoſe barriers

barriers by which it may be rendered permanent. There is among mankind ſomething of what may be called a more refined taſte in judging the conduct of heroes, and in honouring them with approbation. Theſe are not times in which men who rule by fear, and who reign by injuſtice, can obtain glory. It is not impoſſible, therefore, that Bonaparte having atchieved the moſt ſplendid victories, and placed his country beyond the reach of foreign interference, will lay the foundation of a ſyſtem of liberty, conſiſtent with reaſon, order, and tranquillity. This much I thought it neceſſary to ſay upon this point on which ſo much ſtreſs was formerly placed. It will not be denied, I believe, that the general cry of the people of this country is for peace; I am convinced even that it is the ſecret wiſh of thoſe who publicly give their ſupport to Miniſters. This laſt circumſtance indeed is one of the worſt ſymptoms by which a political body can be directed, or a ſtronger proof that all independence of conduct is extinct. It is a ſingular ſituation of things that many of thoſe men who have given their ſupport to the war, have heard with pleaſure the tidings of the diſaſters which our allies have ſuffered, becauſe it is thought that the criſis will lead to peace. Even your public funds have riſen upon the ſame hope. If there can be deciſive ſymptoms that a nation is falling into abject dependence and loſing all freedom of ſentiment, it is when it is compelled to expect from unfortunate events what its own opinion fairly expreſſed could not fail to procure. If Parliament were to expreſs its ſentiments with freedom—if the people were to lay their ſenſe before this Houſe or the throne, in petitions in favour of peace, the bleſſing would ſoon follow the declaration of their wiſhes. Now they are content to receive it as a boon. They hope that adverſe events will dictate that courſe which they have not the independence openly to recommend. In this we have another melancholy proof of the decay of public ſpirit, and the abject ſubmiſſion of men to acquieſce in meaſures which they diſapprove. When they ought to make an effort to reſcue themſelves from a ſituation of danger and difficulty, they continue their ſupport to meaſures diametrically oppoſite to the object they deſire. Knowing the fate of ſuch attempts I ſhall not make any motion expreſſive of the ſentiments which I have thrown out reſpecting the preſent ſtate of public affairs. In this emergency I ſhould think that Miniſters themſelves would be deſirous of taking the advice of the Houſe. At preſent, however, I ſhall

Content myſelf with moving, that the Houſe be called over this day fortnight.

The *Chancellor of the Exchequer* roſe, as the Speaker was on the point of taking the the ſenſe of the Houſe on the queſtion, and ſpoke to the following effect:—"Sir, having attentively liſtened to the obſervations made by the hon. Gentleman, and conſidered the nature of his motion, I think myſelf warranted in maintaining that the whole of his arguments applies to one or two propoſitions. His chief object is calculated to lead to an immediate peace with the French Republic, or to induce the Houſe to addreſs his Majeſty no longer to place his confidence in his preſent Miniſters. As far as the call of the Houſe goes, I would leave it to others rather than take a part in the mere propriety of the meaſure; and I ſhall content myſelf with obſerving, that the Call muſt in every poſſible view prove uſeleſs. It is evidently unneceſſary, becauſe if the queſtion be admitted to poſſeſs ſtrong claims to attention, its importance will operate as powerfully as any call of the Houſe in producing the deſired attendance. Were the Houſe to acquieſce in the motion of the hon. Gentleman, its compliance would produce many ſerious inconveniencies. But returning to the ſpeech of the hon. Gentleman, I cannot but remark that if I were to argue on the reaſons which he has ſtated, I ſhould not trouble the Houſe at any length; nor indeed am I inclined to ſay much, as moſt of his arguments are founded upon the recent news to which he has thought proper to allude, and which he undertakes to inform us is rendered ſo certain and authentic, that it ſhould, in his opinion, cauſe a complete change in the ſentiments entertained and recognized by gentlemen during the whole of the ſeſſion. I know not what to think of the hon. Gentleman's idea of authenticity; but to draw any concluſion from the ſtatements of the enemy alone, will ſcarcely convey to an unprejudiced mind a correct notion of authenticity. However authentic and official the articles of intelligence in queſtion may be, though they do not even go ſo far as to be ſupported by the credit of the French papers—for I certainly have not ſeen them there—yet to draw a concluſion from ſuch authorities, without any further enquiry, upon a ſubject in which all Europe is implicated, and in the proſecution of which our exertions have been ſo honourable to ourſelves, would be to decide without the common grounds neceſſary to form an opinion. With the imperfect and partial information of the enemy,

enemy, the Britiſh Houſe of Commons is called upon to interpoſe its advice with the Executive Government; it is called upon to exerciſe a power which it ſhould never exerciſe without the moſt mature deliberation, and in caſes of urgent neceſſity, for it is an extraordinary power; it is called upon to concur in an addreſs to his Majeſty, without inveſtigation, without a fair compariſon of facts; and all this ſtrange and unaccountable interference, ſo eagerly preſſed by the hon. Gentleman, is made to reſt upon the authority of French papers. It appears, that to propoſe this conduct to the Houſe is to propoſe, that without knowing the extent of the advantages gained by the enemy, without aſcertaining the ſum of the loſſes ſuſtained by our ally—without conſulting that ally with reſpect to the vigour of his preſent ſituation, and the magnitude of his future reſources, whatever calamitous reverſes he may have recently experienced, we ſhould at once come to a deciſion, ſudden and unexpected, where cool reflection and ſerious enquiry are moſt neceſſary. I truſt, Sir, the Houſe will never condeſcend to adopt a conduct ſo degrading, ſo imprudent, and ſo deſtructive of the dignified and exalted character which it has ſupported throughout the preſent arduous conteſt. We have eſcaped from dangers tenfold greater—we have ſurmounted obſtacles much more difficult—we have extricated ourſelves from perils more imminent and dreadful, than thoſe upon which the motion is founded. We have triumphed in a criſis more alarming than the preſent—we have ſucceeded in reſcuing our country from the ruin with which it was threatened—we have afforded protection to others, and afforded every chance of protection to Europe. When therefore we conſider what we have done in times more pregnant with danger, ſhall we heſitate to declare, we will not—we cannot ſhake the great and ſolid reputation we have acquired from our paſt exertions, by agreeing to a motion reſting upon ſuch feeble grounds? I believe the Houſe will not heſitate to reject any meaſure of a ſimilar tendency, and I am inclined to think that the hon. Gentleman's friends near him would join in the oppoſition. The hon Gentleman has told us, that all our exertions have failed, and he has enumerated, according to his own eſtimate, all thoſe arguments which he ſuppoſes to have influenced us; but he has omitted the principal argument, and the very qualification upon which we all along ſtated the queſtion of war. We did not rely upon the ſtrength of Ruſſia—the ſervices of Bavaria—the ſincerity of the Emperor of Germany, and the

encreaſe of his forces; nor did we depend, as it has been ſo often urged by the hon. Gentleman, upon the exhauſted ſtate and miſery of the French finances; but we ſtated generally and clearly—"Is the ſituation of affairs ſuch as to induce you to prefer peace to the continuance of war?" We ſtated this to the country at large—we exhibited a fair balance of the advantages and diſadvantages of both, and drew our concluſion in conformity to ſtatements which were undeniable. That there is a ſerious change in military affairs it would be idle to deny; but does it follow from any recent viciſſitude that what we concluded formerly was not right then? Did Government promiſe, when it agreed upon facts and probabilities, that the Auſtrian army ſhould be always victorious? Did it enter into a ſolemn engagement that no unexpected calamities ſhould occur? Did it undertake to pledge itſelf that the talents of the imperial Commanders ſhould be equal to every exigency? To terms of ſuch a nature it never gave its acquieſcence; it never could have conſented. But did we not expreſsly ſay, that if the worſt inſtead of the beſt conſequences were to happen, we ſhould not therefore be dejected; but be prepared for the worſt event, and exert our courage, talents, and reſources, in proportion to the dangers with which we might be threatened. I muſt alſo obſerve, if it were even adviſable, under all the circumſtances, to negociate at the preſent moment, that I ſhould conſider the hon. Gentleman's motion at leaſt premature. It would, indeed, be inconſiſtent with every principle of prudence recognized in the ſyſtem of human action, to decide, without comparing the intelligence of the enemy with the advices of our ally, and to give complete credit to the information that came from a hoſtile ſource. To call upon the Houſe to adopt a conduct of that kind, is to require it to do an act of imprudence, of which no perſon in the common affairs of life would be guilty. If the accounts reſpecting the ſucceſſes of the enemy were actually correct and authentic in all their particulars; though upon that head I have my doubts, ſince it appears from what has reached me, that the conteſt has been more ſevere than generally repreſented; yet I muſt ſay, we would, even in that caſe, act more in favour of the enemy's views than in ſupport of our own intereſt by agreeing to the motion. But it may be aſked, do we know the reſources and the determination of our allies? Are we to conclude, that though a convention may have been concluded in one part of the theatre of war, our allies are not to prove victorious

victorious in any other part? Is the fortune of war fixed and rivetted on the ſide of the triumphant enemy? Are we to come to a deciſion without gaining the neceſſary information from our allies with reſpect to their ſtrength, their hopes, and their final reſolution? But ſtill admitting our full acquieſcence in theſe ſtatements, I muſt further demand, ſhould we agree to enter into a negociation in this place? I believe no gentleman in the Houſe will anſwer in the affirmative. It would be to negociate without knowing the wiſhes and the views of the enemy; it would lead to a ſeparation of intereſt between ourſelves and our allies; it would transfer every advantage to France, and deprive us of the favourable means of terminating the negociation with honour and profit to our country. I cannot believe that a Britiſh Houſe of Commons will be induced to come to the vote which the hon. Gentleman propoſes. I cannot believe that we have ſo ſoon forgotten what we have been, and what we have done from the commencement of the conteſt to the preſent moment; how we oppoſed jacobin principles with ſucceſs, and ſaved our country from the depredations of jacobin arms, and how alone we triumphed over the inſidious arts and open violence of the common enemy. Let us then preſerve that character which conſtitutes the pride and glory of Engliſhmen, the character of meeting every viciſſitude with courage, magnanimity and perſeverance; and let us look with unſhaken confidence to the iſſue! Upon theſe grounds, Sir, I feel myſelf juſtified in giving my moſt deciſive negative againſt the motion."

Mr. *Jones* ſaid, that he ſtood up to ſupport the motion of his honourable Friend. If ever there was a time when it was proper to collect the ſenſe of the repreſentatives of the people now was that time. Accumulated diſaſter had overwhelmed our allies, and we ourſelves were reduced to the brink of ruin. The right honourable Gentleman had ſaid that this was not the place for ſuch queſtions to be agitated. Perhaps he thought Downing-ſtreet a more proper place for the intereſts of the Britiſh Empire and of Europe to be diſcuſſed in. There was no body of men ſo well qualified and ſo well entitled to diſcuſs ſuch ſubjects as the repreſentatives of the people, and no place where they could ſo properly carry on theſe diſcuſſions as in the Britiſh Houſe of Commons. In this awful criſis it was proper that every member ſhould be forced to attend, and here give his opinion upon the concerns of his country. It had been objected to this motion

that

that it revived the queſtion of peace and war. In his opinion that was one of its chief merits. Though motions of that nature were now ſo much ſcouted by members on the other ſide of the Houſe, he was ſo firmly convinced of their propriety, that, if the forms of the Houſe admitted of it, he would himſelf again move this ſeſſion, that his Majeſty be adviſed to open a negociation with the enemy. The propriety of continuing the war had been grounded upon the character of Bonaparte. In his opinion, that character afforded a ſtrong argument for peace. [The hon. Gentleman here repeated ſeveral paſſages from Horace and Juvenal in praiſe of the Chief Conſul, which occaſioned much laughter.] Our circumſtances, he continued, were bad, and were becoming worſe every day. He was told that an armed neutrality was to be formed againſt us, and that our commerce with Ruſſia was completely at an end. Where would this courſe of calamity end, if it were not ſpeedily put a period to by peace?

Mr. *Sheridan*. I have little inclination, Sir, to trouble the Houſe with any farther remarks I truſt every hon. Gentleman muſt be convinced of the propriety of my motion, from what has been already ſaid; but there were ſome expreſſions which fell from the right hon. Gentleman who has juſt ſat down, which I think it my duty to obſerve upon. He ſays that I was intemperate in my language. It might be ſo; but certainly he has by no means ſet me an example of moderation. I can ſafely ſay that I never ſaw even him to loſe his temper ſo much. His faculties ſeemed to have been overwhelmed by his paſſions, for he communicated nearly as few ideas as if he had roſe and beat a drum or ſounded a trumpet. We had words in abundance, and fine ſounding words, but argument we had none. He ſays that I enumerated the ſix reaſons for carrying on the war without the neceſſary qualifications; and that I omitted the principal reaſon of all, viz. the deranged ſtate of the French finances. Sir, I can ſafely declare that I am ignorant of the qualifications to which the right hon. Gentleman alludes, and that I left out this mighty reaſon from my liſt, becauſe it was not mentioned by him and his friends when they maintained the propriety of perſevering in the conteſt. They had frequently foretold the bankruptcy of France, and maintained that ſhe was ready to ſink into the gulf, and as often found their predictions erroneous and their aſſertions falſe. Afraid of again ſubjecting themſelves to the charge of ignorance and

and temerity, or rather, finding that the nation could no longer be duped by their ſtale tricks, they abſtained altogether from urging this argument againſt liſtening to the overtures of Bonaparte. The right hon. Gentleman pleads in excuſe for his conduct, that he never *promiſed* us ſucceſs. He ſays we are good miniſters, we have taken the moſt likely ſteps to promote the welfare of the country, but we have been diſappointed, and things have turned out differently from what there was reaſon to expect. When I have ſhewn that every ground on which he built has failed, that all his reaſonings and predictions were erroneous, what kind of language is it for a miniſter to talk of his promiſes? When he whom he lately boaſted of as being a magnanimous and affectionate ally, has abandoned our cauſe, and is on the brink of hoſtilities with us; when thoſe troops which he ſaid would do more than ſupply the place of the Ruſſians, are almoſt all cut to pieces, and the dominions of their prince in the power of the enemy; when the French armies, which he repreſented as completely diſorganized and incapable of being recruited, are triumphing in every direction, and preſenting a moſt formidable aſpect to the whole of Europe; when the Auſtrians, whoſe triumphs were ſo highly extolled, who were affirmed to be in a ſtate to continue their victorious career, and who were ſaid to be unanimous with ourſelves, have loſt the whole of Italy, tremble for their capital, refuſe to enter into a treaty with us, and are probably at this moment treating with the French; when the Royaliſts are all ſubdued and reconciled to the Republican Government, who, the right hon. Gentleman aſſured us, were ſufficient to reſtore royalty in France; when that character which was abuſed and vilified, and loaded with every epithet of reproach, has ſhone forth with unexampled ſplendour, and given proofs of almoſt every excellence; the right hon. Gentleman comes down with a puny, ſorry, childiſh, pitiful excuſe, and ſays he made no promiſes. What! is he not to be blamed for having been deficient of intelligence, for having deſpiſed advice, for having acted without deliberation, and foreſight, for having perſiſted in a ſyſtem unjuſtifiable, impolitic and ruinous, becauſe he did not promiſe us ſucceſs? He ſtands convicted of complete inability or groſs miſrepreſentation. If he really believed what he ſaid, he is deſtitute of that penetration, ſagacity, and ſoundneſs of judgment which is indiſpenſibly neceſſary to a Miniſter. If he was conſcious of the real ſtate of affairs, and foreſaw the events which were likely to happen,

happen, and yet talked with confidence of victory, and obſtinately perſiſted in the conteſt, no epithet of reproach and condemnation is too ſtrong to be applied to him. Sir, I thought it my duty to move that the Members of the Houſe ſhould be called together before the receſs, that their opinion may be taken upon the preſent alarming poſture of affairs. My motion has no other object, and no imputation can be more falſe than imputing to me a deſire of diſpiriting the country, or encouraging our enemies. I do not deſpond, and I would rather ſhed the laſt drop of my blood, than ſee my country diſhonoured, or loſe its independence. It would be unpardonable in any Miniſter to dare to prorogue Parliament at a conjuncture like the preſent, when every day may produce events intereſting to the exiſtence of the State. I hope that he will not think of proroguing Parliament. I am aſtoniſhed that he even objects to a call of the Houſe.

I have but a very few words more to addreſs to you. I have proved that the ſix motives for carrying on the war with France have failed every one of them, and though the *onus probandi* lay upon the Miniſter, he has not deigned to aſſign any new ones. Does it not then follow that the war ſhould be diſcontinued, or at leaſt that a full attendance ſhould be procured, that the propriety of diſcontinuing it may be canvaſſed? How great is the reſponſibility that Miniſters thus incur! If this ſyſtem is continued, ruin muſt enſue. If I were to ſay that the French, having now a large body of troops at their diſpoſal, might fit out an armament at Breſt againſt our Colonies, and ſend it to the Weſt Indies, the right hon. Gentleman would aſſure me that ſuch a plan is impracticable, and that our poſſeſſions in every quarter of the globe are in a ſtate of ſecurity. But after the fate of his predictions, would I, or would any one, give credit to them? Although he ſhould, from his knowledge of human nature, declare it to be impoſſible, may we not, reflecting on the paſt, ſuppoſe that the Emperor of Ruſſia may be influenced by the French, and declare war againſt his former allies? If he were to affirm that our commerce would continue to flouriſh, and our finances to be proſperous, would it be no anſwer to ſay, You have formerly been deceived? It is ſtrange, indeed, to obſerve the manner in which theſe Gentlemen apply experience to themſelves and to others: They ſay that you ſhould put truſt in no one till you are thoroughly acquainted with him, and that if he has once acted improperly, he ſhould never be truſted more. But they ſtill claim confidence in them-

themſelves from all the world, although they have been repeatedly convicted of ignorance, incapacity, and preſumption.

I thought it my duty, Sir, to bring forward this motion, and I now leave it to its fate.

The Houſe then divided:

Ayes - - - 27 | *Noes* - - - 124

Majority ——97

Mr. *Dundas* ſpoke in favour of the Convention entered into with his Serene Highneſs the Stadtholder. He ſaid he could perceive no poſſible objection to it. No expence would be incurred, as the men were already in our pay, and all that was propoſed was to allow them to ſerve on board Dutch veſſels. After making ſome farther obſervations, the right hon. Gentleman concluded by moving, That the Houſe do now reſolve itſelf into a Committee of the whole Houſe, to take into conſideration his Majeſty's moſt gracious Meſſage.

The *Speaker* ſaid, that if any additional charge was likely to be, by this meaſure, impoſed upon the ſubject, the motion was irregular, not having been given notice of; but as the right hon. Gentleman had ſaid that this would certainly not be the caſe, he ſhould proceed to put it to the Houſe.

Mr. *Tierney* aſked, whether the Stadtholder would let out his ſhips for nothing?

Sir *Wm. Pulteney* ſaid, that he underſtood that theſe veſſels had been condemned as prizes, at leaſt that prize-money had been paid to the captors of them. We were thus to pay for what was our own.

The *Chancellor of the Exchequer* ſaid, that theſe ſhips never had been condemned, and that the money received by the captors was a mere gratuity from the King. By the treaty we were to pay no more than for the damage which they may ſuſtain beyond ordinary tear and wear.

The *Speaker* then left the chair.

Mr. *Dundas* ſaid, that the beſt way to remove the objections of Gentlemen would be to read the motion itſelf, which was, That the Chairman be inſtructed to move for leave to bring in a Bill for impowering his Majeſty to grant Commiſſions to certain Inhabitants of the Seven United Provinces, and of the States of his Serene Highneſs the Prince of Orange, to ſerve on board certain ſhips, and to enliſt in certain regiments, upon conditions therein to be mentioned. He ſaid that the ſoldiers and ſailors were already voted, and that the only object of the Bill was to enable his Majeſty to

Mr. Elliſton, Mr. R. Thornton, and Mr. Buxton, ſpoke in favour of the petition being taken into conſideration.

Sir *W. Pulteney* thought ſuch a meaſure as that propoſed to be adopted by the hon. Magiſtrate who introduced the petition, would be highly dangerous as a permanent one.

The *Chancellor of the Exchequer* replied, that it was ſo far from a permanent tax, that it was intended to make it only a temporary meaſure for a few months, during the preſent price of proviſions. The neceſſity of the caſe called for ſome proviſion. The principle and outline was good, and therefore he thought it ought to go into a committee, for them to conſider of the proper details.

Mr. *Mainwaring* diſclaimed all idea of having ſupported it as a meaſure propoſed to be permanent.

The amendment was then put and negatived, and the Petition was ordered to be taken into the conſideration of a Committee of the whole Houſe on Tueſday next.

On the order of the day being read for the ſecond reading of the London Carts Bill,

Mr. *I. H. Browne* moved, that it be read a ſecond time on this day three months; which was put and carried, after a few words from Mr. Alderman Curtis.

MONASTIC INSTITUTIONS.

The Houſe having reſolved itſelf into a Committee for the re-conſideration of the bill to prevent Monaſtic Inſtitutions,

Mr. *Sheridan* ſaid, he had underſtood that the hon. mover of this bill had very properly made ſuch alterations in it as would reconcile all the parties who differed concerning the meaſure. On that account, he would not now oppoſe the bill.

Mr. *Hobhouſe* highly approved of the alterations that were made, but at the ſame time he was ſorry to find that a very important amendment which he had ſuggeſted on a former night was omitted. This was to allow the places which ſhould become vacant by the death of perſons belonging to religious ſocieties to be repleniſhed.

Mr. *Perceval* ſaid, that the object of the hon. Gentleman's amendment would be fully anſwered by the power his Majeſty was to have of granting licences.

The *Secretary at War* ſaid, he did not wiſh the numbers belonging to theſe inſtitutions ſhould die away until they became extinct.

The Houſe being reſumed, the Bill, in its amended ſtate, was ordered to be printed, and to be taken into further conſideration in a Committee on Monday next.

List of the Minority on Mr. *Sheridan's* Motion for a Call of the Houſe on Friday laſt—

R. Adair,	J. Martin,
Hon. E. Bouverie,	J. Nicolls,
J. Brogden,	D. North,
R. Biddulph,	W. Plomer,
J. Courtenay,	M. B. Robſon,
H. C. Combe, Lord Mayor,	Lord J. Ruſſell,
Hon. L. Dundas,	Lord W. Ruſſell,
W. J. Deniſon,	W. Smith,
W. Huſſey,	Hon. St. A. St. John,
B. Hobhouſe,	G. Tierney,
J. Jekyll,	Hon. General Walpole,
N. Jeffries,	C. C. Weſtern,
Colonel Lemon,	R. Vyner.
Sir Wm. Milner,	

Tellers—R. B. Sheridan, and J. J. Jones.

HOUSE OF LORDS.

MONDAY, JUNE 30.

The Eaſt-India Warehouſe Bill, the bill empowering brewers to uſe ſugar in brewing, and thirty-ſeven other bills, received the royal aſſent by commiſſion.

Soon after five o'clock, Lord *Grenville* roſe, and ſaid he never had riſen to make a motion with ſo much pleaſure in his life, as he now roſe to move that the Bill, uniting the Legiſlatures of England and Ireland, be read a third time.

The Earl of *Hillſborough* (Marquis of Downſhire) ſaid, he roſe to ſtate to the Houſe, that he entertained preciſely the ſame opinion of the meaſure provided for in the bill about to be read a third time, that he did when he had laſt the honour of explaining his ſentiments upon it to the Houſe; he knew that nothing he could ſay would prevent the bill from paſſing. He would not, therefore, detain their Lordſhips by repeating his former arguments againſt it, or adding new ones, but would content himſelf with giving his decided negative to it, when the queſtion ſhould be put upon its paſſing.

The bill was then read a third time and paſſed, with Lord Hillſborough's ſingle *not-content*.

The Earl of *Carliſle* roſe to ſtate, that it had been deemed neceſſary that certain queſtions in the appeal cauſe, the Earl of

of Galloway and John Gordon, Esq. *v.* the Lords of the Treasury and the Lord Advocate of Scotland, should be put to the Judges. His Lordship said, he did not affect to understand the cause, nor was he master enough of Scotch law to know the legal points on which the merits of the cause rested; but he conceived, when one of the parties, principally interested, (the Earl of Galloway) desired to have certain questions put to the Judges which he deemed material, there could be no reasonable objection to putting such questions, and postponing the decision of the appeal to the next session. The Earl handed three or four questions to the Reading Clerk, which were distinctly read at the table.

The *Lord Chancellor* left the woolsack, and contended that no questions like those proposed could be raised in such a cause, as fit questions to be put to the Judges of England. His Lordship stated, that the appeal in question came on long since, when two counsel for the appellants were heard, and one for the respondents, the day not serving for further proceeding in the cause. That owing to a variety of accidental circumstances the hearing had not been resumed since; but that he had received a letter from the Agent for the Crown, stating, that it was highly important to the interests of the public that it should be decided in the present session. With regard to the last of the questions, viz. whether any man, having executed a penal bond, should be ultimately held amenable for a larger sum than the penalty of the said bond? The question answered itself, for it was undeniable that no person could be called upon to pay a larger penalty than his obligation, by bond, expressly engaged for. His Lordship concluded with declaring, that the questions moved were not proper to be put to the Judges.

The Earl of *Galloway* said, it was extremely material to him that the appeal should be decided as soon as possible; but he owned he wished it should come on for decision before more than one Law Peer. He had reason to believe that a noble and learned Lord entertained an opinion upon the subject, different perhaps from the noble and learned Lord on the woolsack. That noble and learned Lord had been severely indisposed; but he understood he was so far recovered as to be able to take an airing, and he hoped in a few days he would be able to attend. However, he could not see how the public interests would suffer if it were postponed to next session, as he was paying interest for the sum in litigation pending the proceeding of the cause.

The

The *Lord Chancellor* roſe again, and ſaid, that when the appeal firſt came on to be heard, one of the learned Judges of the Court of Seſſion was in town, and told him, that it was extremely material to the public intereſt, that the appeal ſhould be decided in the preſent ſeſſion, and he had ſince correſponded with the head of that court, who had ſtated the ſame opinion. The Lord Advocate had alſo written a letter to the Agent for the Crown, which had been ſhewn him that morning, preſſing the ſame. Their Lordſhips would ſurely give him credit when he declared, that it was ſingularly ſatisfactory to his mind, when he could have the aſſiſtance of the Judges, but in this caſe there was no ſort of occaſion. With regard to the noble Lord alluded to, he was ſorry to ſay that he underſtood there was no probability of his being able to attend again in the courſe of the preſent ſeſſion, but that he ſhould have been glad of his being at the table to join in hearing the appeal, as it had ſcarcely happened, if ever, that he had differed with him ultimately upon any cauſe that came before them. At any rate, however, the adminiſtration of public juſtice could not ſtand ſtill, or wait for the attendance of any individual, however reſpectable.

After a few more words from the Earls of Carliſle and Galloway, the queſtion for the attendance of the Judges was negatived, and the further hearing of the appeal was ordered for Friday next.

INCLOSURE BILLS.

Lord *Holland* gave notice that a noble Friend of his (the Duke of Bedford) was deſirous of bringing forward a motion reſpecting certain reſolutions relative to Incloſures, and he therefore moved, that the Lords be ſummoned for Thurſday next.—Ordered. Adjourned.

HOUSE OF COMMONS,

MONDAY, JUNE 30.

Mr. *D. P. Coke* preſented a petition from the journeymen workmen of Nottingham againſt the Combination Act.—Ordered to lie on the table.

Mr. *Kanſittart* brought up the report of the Private Committee on the Herring Fiſhery Bill, and it was ordered to be referred to a Committee of the whole Houſe the next day.

An account of the annual income and expenditure of the Eaſt India government was preſented by Mr. Owen, from the Eaſt-India Houſe, and ordered to lie on the table.

Mr.

Mr. *Dundas* moved, That the accounts brought up by Mr. Owen, on the 24th of April laſt, be printed. Ordered.

COMMISSION.

The *Speaker* acquainted the Houſe that the royal aſſent had been notified by commiſſion in the Houſe of Peers to the Eaſt India Warehouſing Bill, and to ſeveral other public and private bills.

The 3d reading of the London Bread Aſſize Bill was further proceeded on, after which the bill paſſed.

Lord *Erroll's* Eſtate Bill was read a third time and paſſed.

Mr. *Roſe*, in a Committee of the whole Houſe, moved that ſalt employed for the purpoſe of preſerving fiſh taken in the North Seas for the ſupply of the London market, be allowed to be imported duty free. This reſolution was agreed to, and the report was ordered to be received the next day.

The *Secretary at War* gave notice that he would move that the report on the bill for inſtituting an eſtabliſhment for the widows and orphans of ſoldiers, be referred to the Committee of Supply on Wedneſday.

The Bill for better regulating the Adminiſtration of Juſtice in India was ordered to be re-committed the next day.

In a Committee on the Hop Importation Bill it was reſolved that a duty of 1d. 12-30ths, be laid upon every pound, avoirdupoiſe, of foreign hops imported into this kingdom.

Mr. *Roſe* gave notice that he ſhould the next day move, That the Houſe do reſolve itſelf into a Committee to conſider of the commercial treaty entered into between this country and France, as far as it relates to allowing French wines to be imported into Jerſey and Guernſey.

Mr. *Weſtern* gave notice that he ſhould on that day ſe'nnight ſubmit a motion to the Houſe reſpecting the preſent war.

The bill for preventing fraud, &c. in the hop trade, went through a Committee, and the report was ordered to be received the next day.

A meſſage from the Lords acquainted the Houſe that their Lordſhips had agreed to the Union Bill without any amendment.

HIGH TREASON.

The *Attorney General*, in conſequence of a notice he had given ſome days ago, roſe to move for leave to bring in a bill for regulating trials for high-treaſon and miſpriſion of treaſon in certain caſes, and for providing for the ſafe cuſtody of

of infane perſons, charged with offences. The firſt of theſe caſes he would confine to where direct attempts were made againſt the ſacred perſon of his Majeſty, and theſe he would propoſe to bring under the law, as it ſtands reſpecting wilful murder. On this point he would forbear ſaying any thing more at preſent, as the principal difference of opinion was likely to ariſe on the propriety of the expreſſions uſed in the bill, and theſe it would be more convenient to examine in the Committee. The ſecond part regarded the ſafe cuſtody of inſane perſons, charged with offences. It was not neceſſary to allude to any thing that had recently paſſed to ſhew how defective the law was on that head. All thoſe who preſide, and have preſided, in the courts of juſtice, have long felt the neceſſity of ſome proviſions of this nature; for it has often been found that inſane perſons, after having been acquitted of an offence on account of their deranged ſtate of mind, have again committed the ſame, or a worſe offence, when permitted to go at large on the world. It was difficult, indeed, to lay any preciſe law on the ſubject; but much muſt be left to the diſcretion of the Executive Government, ſubject, however, to ſuch reſtrictions, as may controul and prevent its improper uſe. Such were the motives which induced him to propoſe the meaſure he had alluded to, and he would now move that leave be given to bring in a bill as above. Leave given.

Mr. *Nicholls* thought the firſt part of the intended bill objectionable. There was no inconvenience from the law as it now ſtood, or, at leaſt, none had been ſhewn by the learned Mover of the bill. If, therefore, no inconvenience exiſted, why thus wantonly break down the barrier provided by the cautious wiſdom of our anceſtors for the ſafety and protection of the ſubject?

The *Chancellor of the Exchequer* ſaid, he was ſurprized to hear the learned Gentleman inſinuate that no meaſure like to that propoſed was neceſſary, when he muſt feel it was called for by conſiderations of the higheſt importance. It was not only inconvenience, but dangers of the moſt alarming nature, that were to be provided againſt. The general principle of the law of treaſon was particularly aimed at political treaſon, and it might be proper to keep a due degree of jealouſy where the law affected perſons for conſtructive treaſon; but here the fact was ſuppoſed of treaſon aggravated by murder. If ſuch an attempt as the foul and abominable one which was lately made againſt the ſacred perſon of the Sovereign

had unfortunately ſucceeded, as the law now ſtands, the charge muſt have been laid as treaſon, not as murder, and one witneſs would not have been ſufficient for conviction. The law, then, ought not to remain as it now ſtood, nor could any endeavours to amend it be well attributed to any depraved political principle. Whereas ſeveral attempts have already been made by inſane perſons, which have ſo widely alarmed the nation for the perſonal ſafety of his Majeſty, which is ſo cloſely connected with the happineſs and tranquillity of the empire. That life, however dear and precious as it juſtly was in the eyes of the country, was not as well guarded as that of the meaneſt of his ſubjects. Will it therefore be ſaid, that no inconvenience aroſe, or can ariſe, from the law as it now ſtood? He was ſure the learned Gentleman could not think ſo upon reflection—it was conſequently his opinion that the Houſe ſhould not heſitate a moment to provide additional means of ſecurity and ſafety for the ſacred perſon of his Majeſty.

Mr. *Nicholls*, in explanation, ſaid that he had no objection to the bill, when viewed in the light it had juſt now been repreſented by the right hon. Gentleman: his only objection was, that it ſhould not be extended to perſons liable to be tried for political opinions.

The *Chancellor of the Exchequer* wiſhed to be underſtood, that to caſes of ſuch direct attempts as thoſe to which he had alluded, the mode of trial, and the ſentence, as uſed in caſes of murder, ſhould be applied; and that not only when the attempt was ſucceſsful, but alſo when it happened to be unſucceſsful. In other reſpects it was perfectly diſtinguiſhed from the mode of trial in caſes of political treaſon.

The queſtion was than put upon the Attorney General's Motion, and agreed to *nem. con.*

Colonel *Gaſcoyne* roſe, purſuant to a notice he had given, to move that the Houſe do reſolve itſelf into a Committee, to conſider the act paſſed laſt ſeſſion of Parliament, for preventing Combinations among Journeymen Workmen.

Mr. *Yorke* ſuggeſted the propriety of previouſly referring the bill to a Committee up ſtairs.

Colonel *Gaſcoyne* ſaid, it was merely his intention to move for leave to bring in the bill, and to have it maturely conſidered in the Committee.

Mr. *Buxton* thought the period of the ſeſſion too late for the introduction of a bill of ſuch conſequence.

Mr. *Sheridan* was ſurpriſed to hear ſuch an objection urged againſt

againſt the bill, as a ſimilar one had been brought in laſt year at a later period of the ſeſſion, and moſt indecently hurried through the Houſe; ſo precipitately, indeed, that not one of the perſons who were the objects, or he would rather ſay, the victims of the bill, had ſufficient time to petition to be heard by their counſel againſt it. This bill affected indiſcriminately all the labourers in the kingdom, and it was throughout fraught with injuſtice and oppreſſion. So flagrantly was it marked in all its features with injuſtice and oppreſſion, that it ſhould not be permitted to exiſt an hour; it ſhould be immediately repealed, as a diſgrace to our ſtatute book. He did not well know who was the framer of it, but imagined it might be the right hon. Gentleman Mr. Pitt, (Mr. Pitt ſaid "No"). Then, Mr. Sheridan continued, the right hon. Gentleman would ſurely in this cauſe be rather his coadjutor than his adverſary; for if the right hon. Gentleman would but read the bill, he was confident he would be as eager for the repeal of it as he (Mr. Sheridan) was.

The *Chancellor of the Exchequer* ſaid it was immaterial who brought in the bill. If the hon. Gentleman proved its operation to be oppreſſive and unjuſt, he would certainly be not ſo tenacious of his opinions as to reſiſt its repeal; but he could not ſee that his particular diſpoſition had any thing to do with the queſtion. At one time (no doubt as ſuited gentlemens' purpoſes) he was repreſented as ſtubborn, obſtinate, and incorrigible; at another he was held up as fickle, capricious, and eaſily driven from his purpoſe. The hon. Gentleman might perhaps ſay he was occaſionally both; and if ſo, he truſted he might ſay as Cato did to his friend, who accuſed him of being one time ſerious and ſorrowful, at another jocoſe and gay: *Magno eſt argumento in utroque eſſe moderatim.* Now as to the bill in queſtion, if its regulations were ſuch as they had been repreſented, no doubt they ſhould be altered and amended. But even then the bill ſhould not be taken by ſtorm, as the hon. Gentleman had attempted to do; for after aſſerting it to be unjuſt and oppreſſive, and every thing that was bad, he did not vouchſafe to adduce a ſingle fact in proof of his aſſertion. Hard words were not ſufficient; the juſtneſs of their application ſhould be made evident, and the proviſions of the bill amended where they required it. But ſpeaking of it in the manner in which the hon. Gentleman had done, was only holding out encouragement to the very perſons whoſe improper conduct it was intended to repreſs.

Mr. *Sherinan* and Colonel *Gaſcoyne* ſaid a few words in explanation, after which the Houſe reſolved itſelf into a Committee.

Colonel *Gaſcoyne* then roſe, and entered into a minute comment and ſevere cenſure of the proviſions of the bill, and particularly animadverted on the indecent precipitancy with which it had laſt ſeſſion been hurried through the Houſe. It moreover held out an encouragement to perjury, and gave often, eſpecially in manufacturing towns, an undue influence to magiſtrates, who were themſelves manufacturers, and might conſequently be reaſonably ſuppoſed to ſympathize with the maſters. The conduct of the latter there was not a ſingle proviſion in the bill to regulate, while it went to oppreſs no leſs than a million of his Majeſty's ſubjects. If ſuch was the nature and tendency of the bill, it was not wonderful that he ſhould move for leave to bring in a bill to amend; that now was his object, though he had no intention whatever of deſtroying the principle of the former bill. Mr. Gaſcoyne concluded by moving, that the Chairman be inſtructed to aſk leave to bring in a bill to explain and amend the Combination Act paſt laſt ſeſſion.

Mr. *Dent* ſaid he did not apprehend that the proviſions of the bill could poſſibly extend to the Friendly Societies, but nevertheleſs it was extremely exceptionable. It altered in ſeveral material points the law of the land. It directed the perſon accuſed to be examined upon oath, ſo that he might criminate himſelf, and it even went ſo far as to put a conſtruction upon motives, and to direct that a man ſhould be committed if it ſhould appear probable to a juſtice that he had meant to violate any of its proviſions. Though ſome regulations might be neceſſary, theſe were evidently oppreſſive, and he hoped the Houſe would therefore conſider the ſubject too with their uſual indulgence, coolneſs, and moderation.

The *Chancellor of the Exchequer* complained that the bill had been extremely miſrepreſented, and ſaid that if the journeymen workmen founded their objections to it upon ſuch an interpretation, they were extremely unreaſonable. It had been ſaid that all friendly ſocieties were affected by it, and that their funds were liable to be ſeized, if they ſhould aſſiſt any of their members. There could not be a greater perverſion of the meaning of any clauſe. No money was made liable to forfeiture but what had been expreſsly contributed for an unlawful purpoſe. Confeſſion was one ſpecies of

conviction

conviction in trials for every other offence as well as for this. Far from objecting to a ſummary method of trial, he was confident that the workmen muſt approve of it, as it ſaved them infinite time, trouble, and expence. The bill might want ſome literal corrections; he therefore ſhould vote for the preſent motion, but he deprecated the idea of repealing it, or deſtroying its efficacy by explanations and amendments. The principle of it was good, and it ought by all means to be ſtrengthened and confirmed.

Colonel *Gaſcoyne* pledged himſelf to bring proofs to the bar of groſs oppreſſion having been ſuffered under the bill he complained of. Perhaps this had happened from the miſtake of the magiſtrate, but it ſurely demonſtrated the neceſſity of the bill being properly explained. Were theſe offences to be tried by a jury, he ſhould think there was leſs chance of abuſe, but it was very wrong that a ſingle juſtice ſhould thus have it in his power to tyrannize over all the workmen in his neighbourhood.

Mr. *Roſe* ſaid, that any one might appeal from the ſentence of the juſtice to the quarter ſeſſions, where he would be ſure to meet with redreſs.

Mr. *Sheridan* ſaid that the right hon. Gentleman oppoſite to him (Mr. Pitt.) had complained that he had miſrepreſented the bill, but it was very evident that the right hon. Gentleman was totally ignorant of its proviſions himſelf. He had ſaid that it was advantageous for the workmen, as it directed a ſummary method of trial; but it ſo happened that the bill had nothing to do with ſettling diſputes between maſters and ſervants, as it only gave the maſters a power of ſummoning the ſervants before a magiſtrate to anſwer for offences created by the act itſelf. He did not approve of the plan of amending the act, as he did not ſee how it could be amended, and as it was altogether unneceſſary. There were already ſevere laws againſt combination, which were quite ſufficient to prevent that practice to a pernicious degree. No proof whatever had been offered of their inefficacy, and the only reaſon to believe that a new act was called for was, the preamble of the act itſelf. He reſpected the juſtices, but among ſuch a numerous body of men there muſt be ſome not very well diſpoſed, and, though they were ever ſo upright, they could not give equity like a jury; they muſt explain and enforce the law with rigour, and thus be the inſtruments of oppreſſion. If a father ſhould be convicted of having forbidden his ſon to work any longer with a maſter who had refuſed to teach

teach him his buſineſs, but had beat, ſtarved, and abuſed him, that father the juſtices were bound to commit to priſon for three months, there to be kept at hard labour. Although all the maſters in the diſtrict ſhould combine to lower the rate of wages, the poor journeymen had by this act no means of redreſs, but, through themſelves, liable to the moſt ſevere puniſhment for the leaſt impropriety, muſt ſuffer the cruelleſt injuries without a murmur. He could with his hon. Friend adduce many inſtances in which they had been oppreſſed. The bill abounded not leſs with abſurdity than injuſtice; it rendered it penal for any one, in any way, ſecretly, or covertly, directly or indirectly, to ſeduce a workman from his maſter; but bounties were offered and proclamations poſted up every day, to entice workmen to enter his Majeſty's ſervice; and if the bill were fairly acted upon, half the captains, lieutenants, and recruiting ſerjeants in the kingdom, would now be in the houſe of correction, picking oakum or beating hemp.

The *Chancellor of the Exchequer* and Mr. *Sheridan* mutually explained.

Sir F. B. *Jones* begged that it might not be underſtood, that though he voted for the motion, he ſupported the bill which was meant to be brought in. He thought that the act of laſt ſeſſion ſhould be totally repealed, and he ſhould probably move for its repeal next ſeſſion of Parliament.

General *Tarleton* thought that the bill ſhould be repealed, as it was unneceſſary, and as the mode of trial it directed was alien to the laws of England.

Colonel *Elford* approved of the bill. He thought it ſtrange that though he repreſented Plymouth, he had never known that his conſtituents were to petition againſt it till he had actually ſeen their petition upon the table.

Mr. *Sheridan* ſaid that if the hon. Gentleman felt ſore in being thus overlooked, he had now an opportunity of doing honour to his conſtituents by ſupporting the prayer of their petition.

Mr. *Attorney General* contended that the bill was neceſſary, and that a ſummary mode of trial was neceſſary, as the mode by indictment would be quite ineffectual in preventing unlawful combinations.

The motion was then put and agreed to; the Houſe was reſumed, and leave aſked and obtained to bring in the bill.

Mr. *Long* preſented an account of the ſum due and unprovided for to his Majeſty the Emperor of all the Ruſſias, on the 5th of Jan. 1800.

Mr.

Mr. *Long* moved for leave to bring in a bill to empower his Majeſty to grant commiſſions to certain inhabitants of the United Provinces to ſerve on board certain Dutch ſhips, &c. Leave granted.

The *Attorney General* brought in a bill for regulating trials for treaſon, and miſpriſion of treaſon, and for the ſafe cuſtody of inſane perſons charged with the ſaid offences; read a firſt time, and ordered to be read a ſecond time the next day.

Mr. *Percival* moved for leave to bring in a bill for the better preventing the embezzlement of his Majeſty's naval, ordnance, and victualling ſtores. Leave granted.

The Quarantine Bill and the Militia Officers' Allowance Bill, were read a ſecond time, and committed for the next day.

On the motion of Mr. *Bragge*, a ſelect Committee was appointed to conſider what clauſes are generally employed in bills of enclofure, and to report to the Houſe what clauſes may be included in a General Enclofure Bill.

The Bill for the better preſervation of the King's game in the foreſts went through a Committee of the whole Houſe. The report was received and ordered to be taken into further conſideration this day two months.

The Monaſtic Inſtitution Bill was reported and ordered to be read a third time the next day.

The report of the Committee on the New Foreſt Bill was brought up, and the bill was ordered to be recommitted.

Counſel was then heard at the bar in favour of the petition againſt the Albion Mills' Incorporrtion Bill. Adjourned.

HOUSE OF LORDS.

TUESDAY, JULY 1.

The ſeveral Bills upon the table paſſed their reſpective ſtages.

HOUSE OF COMMONS.

TUESDAY, JULY 1.

The Houſe went into a Committee of the whole Houſe to conſider the Bill for eſtabliſhing certain Regulations of the Offices of the Houſe of Commons.

The right hon. the *Speaker* took an extenſive view of the objects of the Bill, and detailed at great length the manner in which he propoſed that the blanks ſhould be filled up. He ſaid that the ſalaries of the Clerk, Clerk Aſſiſtant and Serjeant

jeant at Arms, were extremely fluctuating, and, though not too great for the meritorious perſons who now fill theſe offices, greater than it would be proper for any perſon to allow their ſucceſſors. He therefore propoſed, that after the preſent patent intereſts have expired, the fees ſhould all be paid into the hands of the Commiſſioners, and that fixed allowances ſhould be made to each out of the aggregate amount. The Clerk, he thought, ſhould have 3000l. and the Aſſiſtant Clerk 1500l. a year for the firſt five years they hold their offices, and 500l. more after the end of that period. It would be deſirable at all times to have, as they now had, a perſon every way a gentleman for their Serjeant at Arms; to obtain this, it was neceſſary that the office ſhould be made ſufficiently lucrative to be coveted by gentlemen, and this could not be done were its emoluments to be made leſs conſiderable than 1300l. a year. As the clerk had now an annual ſalary of 850l. and the Serjeant at Arms one nearly to the amount of that propoſed to be granted to his ſucceſſor, an overplus of about 4000l. a year would remain after all the charges upon the fund were provided for. That ſum, which would be greatly increaſed by the approaching Union with Ireland, it was propoſed to employ in providing a compenſation for the Chairman of the Committee of Ways and Means, and in improving the ſituation of the inferior clerks, a moſt uſeful, reſpectable, and deſerving claſs of men.

The *Chancellor of the Exchequer* expreſſed his entire approbation in the propoſed regulations, and gave notice of moving for a remuneration to the preſent Chairman of the Committee of Ways and Means, on whom he beſtowed many high compliments.

After a ſhort converſation between Mr. Baker and the Speaker, the different amendments were moved and agreed to, the Houſe was reſumed, and the report ordered to be brought up the next day.

The order for the commitment of the India Government Regulation Bill was poſtponed till the next day.

The Dutch Seamen and Soldiers' Bill was read a firſt time, and ordered to be read a ſecond time the next day.

The Treaſon Trial Regulation Bill was read a ſecond time and committed for the next day.

On the motion of the Attorney General it was agreed that it be an inſtruction to the Committee to divide it in two ſeparate Bills.

The report of the Committee on the Duties payable on Foreign

reign Hops and the Report of the Committee on the Salt Duties, were brought up, read, and agreed to, and Bills ordered in purſuance of their ſeveral reſolutions.

The Bill for preventing the Embezzlement of his Majeſty's Naval, Ordnance, and Victualling Stores, was read a firſt time, and ordered to be read a ſecond time on Thurſday.

Mr. *Percival* moved for leave to bring in a Bill to render valid Indentures for apprenticing Poor Children which have not been properly ſtamped, and for indemnifying thoſe who may have been parties in executing ſuch Indentures.—Leave granted.

RELIEF OF THE POOR OF THE METROPOLIS.

The Houſe then went into a Committee to conſider the petitions praying for the interference of Parliament in behalf of the Poor of the Metropolis.

Mr. *Mainwaring* ſaid, that from the unprecedented high price of proviſions, there could be no doubt of the neceſſities of the poor, and of the expediency of relieving them; the only difference of opinion would be about the mode. The one he was about to propoſe appeared to him the moſt unexceptionable; but if any hon. Gentleman would ſuggeſt a better, he ſhould be happy to concur in it. After ſome further preliminary obſervations, he concluded by moving that the chairman be directed to move for leave to bring in a Bill to make an additional rate on the pariſhes within the Bills of Mortality, and thoſe of St. Pancras and St. Mary-le-bone, for the relief of indigent perſons for a time to be limited.

Mr. *Robſon* ſaid, that he wiſhed well to the poor, and would be happy to ſee any proper meaſure taken to promote their comfort; but he highly diſapproved of the motion now ſubmitted to the Houſe. If the poor were to be aſſiſted, the money ſhould come out of the public funds, and ought not to be paid by any particular diſtrict. The pariſh of St. Mary-le-bone already paid poors-rates to the amount of 39,000l. a year, and it was very unjuſt it ſhould be burthened further to maintain the poor of other pariſhes.

Mr. *I. Hawkins Browne* ſaid, there were many reaſons why the meaſure ſhould not be made general, and many advantages would be derived from the different pariſhes of the metropolis being conſolidated, and rated together.

Mr. *Percival* ſaid, that it was not meant by any means to give the money which ſhould be raiſed to the Committee at Lloyd's, but to allow it to be diſtributed by the Overſeers of the Poor of the reſpective pariſhes in which it ſhould be raiſed.

Mr. *Vanſittart* praiſed in high terms the conduct of the Committee at Lloyd's, and begged that ſome meaſure might ſpeedily be taken to ſecond their exertions: while they were debating the poor were ſtarving.

Mr. *Plumer* ſaid, that the Act of the 43d of Elizabeth was ſufficient for all uſeful purpoſes, and even for gaining the objects propoſed by the preſent Bill.

Mr. *Mainwaring* ſaid that it would be much better to have the rate aſſeſſed by all the magiſtrates of the metropolis, than by two juſtices, as directed by the 43d of Elizabeth.

The *Chancellor of the Exchequer* ſaid, it would be impoſſible for the magiſtrates of London, Weſtminſter, Mary-le-bone, &c. to act together according to the preſent laws. He was aſtoniſhed that the meaſure ſhould experience any oppoſition, as it was meant merely to be temporary, and could not be burthenſome.

Mr. *Jones* ſaid, that the meaſure had occaſioned great alarm throughout the metropolis; and it would be much better to abandon it, as it could produce no adequate advantage. The better way would be, if the neceſſities of the poor were ſo preſſing, to continue to advance money from the Civil Liſt.

Mr. *Devaynes* read a letter, from which it appeared that the pariſh of Mary-le-bone had been ſupplied with a large quantity of potatoes and herrings from the Committee at Lloyd's. He ſaid that that pariſh had no ſuch reaſon to complain, as it had participated in the benefits of the inſtitution. Some ſtep was neceſſary, he added, to relieve the neceſſities of the poor, as the voluntary contributions were completely exhauſted. Not 10,000 perſons in the metropolis had contributed half-a-guinea; and it was proper that every one ſhould be obliged to contribute his ſhare.

Mr. *Tierney* ſaid, it was a very unpleaſant taſk for any man to oppoſe a meaſure for the relief of the poor, and therefore he wiſhed that the Bill might be brought in. But he muſt ſay that he viewed this meaſure with great jealouſy; and he was ſure that all thoſe who were not rich, would view it in the ſame light: they would conſider it as a meaſure that went to throw the burden off the rich upon them. No application had been made for this meaſure from Magiſtrates, or any other perſon, except certain Gentlemen at Lloyd's Coffee-houſe; and the manner in which their application was ſupported by the hon. Gentleman who preſided at their meeting (Mr. Devaynes) was not that which would moſt ingratiate

them

them with the public. He thought the hon. Gentleman muſt have been miſtaken in this aſſertion, that ſo few people had ſubſcribed. Several ſubſcriptions were made in other places, which were not known at Lloyd's. He wiſhed to know whether the poor, intended to be ſupported under this Bill, would be of a different deſcription from the other poor.

Mr. *Mainwaring* ſaid, the money raiſed in conſequence of the Bill was intended to be diſpoſed of to the different officers of pariſhes, and laid out by them at their diſcretion.

Mr. *Buxton* and Mr. *Percival* ſupported the Bill.

Sir *Wm. Milner* and Mr. *Elliſton* were againſt it.

The reſolution was then agreed to; and the Houſe being reſumed, the Chairman obtained leave to bring in a Bill.

In a Committee of the whole Houſe upon the report of the Committee appointed to enquire into the ſtate of the Herring Fiſheries, it was reſolved that the Act of laſt Seſſion for regulating them ſhould be continued, and that the Bounties ſhould be extended to the Iſle of Man. The report to be received the next day.

In a Committee upon the Duties on Wine, it was reſolved that French Wines ſhould be allowed to be imported from Guernſey, Jerſey and Alderney, in bottles and flaſks, upon paying the uſual duties.

The Monaſtic Inſtitutions Regulation Bill was deferred till Thurſday.

The ſecond reading of the Crown Lands Bill was deferred till Thurſday.

The new Foreſt Bill went through a Committee of the whole Houſe, and was ordered to be reported the next day.

The Weſt-India Governors' Indemnification Bill was read a third time, and paſſed.

The Militia Officers' Allowance Bill was read a third time, and paſſed.

Counſel were then called to the Bar, and after they were heard at great length for and againſt the Bill for Incorporating certain Perſons to be called "The London Company, for manufacturing flour, meal, and bread," the Houſe adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 2.

His Majeſty came to the Houſe about half paſt three, and ſignified the Royal Aſſent to the Bill for a Legiſlative Union with Ireland, and two other Bills.

The Bills on the table were forwarded in their ſtages. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JULY 2.

About half paſt three o'clock, the Speaker, accompanied by ſeveral Members, went to the Houſe of Lords, to hear the Royal Aſſent given to the Bill for a Legiſlative Union between the Kingdoms of Great Britain and Ireland; and being returned, he acquainted the Houſe that his Majeſty had been graciouſly pleaſed to ſignify his Royal Aſſent to the ſaid Bill, and to two private Bills.

An Account of the number of Perſons confined for Debt in the different Gaols of the Metropolis, was preſented and laid on the table.

The report of the Houſe of Commons Officers' Regulation Bill was read and agreed to.

The *Secretary at War* poſtponed the motion it was his intention to make, relative to an Inſtitution for the relief of the Orphan Children of Soldiers. The motion now ſtands for Friday next.

The Monaſtic Inſtitutions Bill was ordered to be read a third time the next day.

A Meſſage was received from the Lords, ſtating, that their Lordſhips had agreed to the Waſte Paper Importation Bill, the Stamp Duty Bill, the Perfumery Duty Repeal Bill, and the London Small Debts Bill.

Mr. *Bragge* brought up the report of the Committee on the Hampſhire New Foreſt Bill, which, after a ſhort converſation between Meſſrs. Hobhouſe, Sturges, Huſſey, Baker, and Dundas, was ordered to be read a third time on Friday next.

NEW FOREST BILL.

Mr. *Hobhouſe* had moved that the further proceedings on the report might be put off till that day three months, but not being ſeconded in this motion, he next moved to poſtpone the third reading for the ſame period. He was of opinion that the Bill trenched on the rights of individuals, and would have preſented a petition againſt it in another ſtage, but that it was hurried through the Houſe with unuſual haſte.

Mr. *Sturges* contended that the preſent Bill embraced no principle new to the law of England. The ſtatute of William, for regulating the Foreſt Laws, made as large an appropriation of the common, for the preſervation of timber, &c. as was propoſed by the preſent meaſure; and with reſpect

ſpect to the accuſation of haſte, the fact was, that the Bill was brought in on the 3d of May laſt.

Mr. *Huſſey* thought the Bill ought not to paſs. It profeſſed to be for the preſervation of timber, and the incloſure of 400 out of 4000 acres for hay. But in theſe times it ought to be conſidered, that the Foreſt contained 15,000 acres of land, which, inſtead of remaining in paſture to feed deer, ought to be cultivated for the purpoſe of affording ſuſtenance to the people. As to thoſe parts of the Bill which reſpected the aſcertainment of boundaries, and making compromiſes, he had no objection to them.

Mr *Baker* wiſhed a further delay, and

Mr. *Dundas* was of opinion that Gentlemen would do well to allow the Bill to go on, but ſuggeſted a delay of a few days.

Mr. *Hobhouſe* obtained leave to bring up a petition againſt the ſaid Bill.

The Clerk being directed to read it at the table, it was preſently diſcovered by the Speaker, that the petitioner, (William Scott, Eſq. a Barriſter), had commented in ſtrong terms on the ſuppoſed haſte which the Bill had been proceeded in. It alledged that the Bill was brought in at a period of the ſeſſion when the Houſe could not give it a fair, full, and impartial conſideration.

The *Speaker* ſaid, that the petition aſſumed what was moſt diſreſpectful to Parliament, and not founded in fact. The Houſe was always competent to give every ſubject the conſideration due to its importance, and could not therefore be truly ſaid to be incapable at any time of diſcuſſing any queſtion gravely, diſpaſſionately, and with ſtrict regard to juſtice. In the preſent caſe, the courſe proper to be taken, appeared to him to be, to paſs over the petition, as it had never been preſented.

Mr *Hobhouſe* ſaid, that at the time it was put into his hand, it did not occur to him to read the petition.

POLICE.

Mr. Secretary *Dundas* gave notice, that he ſhould move the next day, in a Committee of the whole Houſe, a reſolution, for leave to bring in a Bill, for regulating the Police of the River Thames, preparatory to which, he moved for a Committee of the whole Houſe the next day, to conſider of the meaſure for preventing depredations on the River Thames and its vicinity. Agreed to.

HOUSE

Enclosures, not exceeding three hundred acres, it may be expedient to provide, that such Bills should be considered as to the payment of fees, only as single Bills, &c. &c. &c. the Duke said, he was well aware that it was a delicate subject, as the fees of the two Houses were held sacred, and considered as matters not to be touched; he therefore should for one, be extremely adverse to agreeing to that resolution, without much further consideration, were he not convinced that the carrying such a resolution into execution, so far from diminishing the fees of Parliament and of the Officers of the two Houses, would tend very considerably to increase them. At present the expences of soliciting and passing a Bill of Enclosure were so extravagant and oppressive, that many who wished very much to apply for such Bills, were prevented from doing it by the largeness of the expence; whereas, were the expence reduced to a reasonable size, Enclosure Bills would increase in numbers, and the fees increase in proportion.

The Duke interspersed his observations on the four resolutions with some statements of cases relative to proposed Enclosure Bills, in which he had, to oblige his neighbours, agreed to take a part, although at the time he rather wished to defer it, on account of other expensive business then on his hands; and after stating the grounds on which he deemed the General Enclosure Bill sent up to that House from the Commons last sessions (Sir John Sinclair's Bill, an impracticable Bill), and claiming the indulgence of the House to be heard more in detail, if other noble Lords should oppose his reasoning by arguments adverse to those he had offered, he concluded with moving, That the House agree to the resolutions on the table.

Lord *Carrington* rose to second the motion of the noble Duke, declaring that he highly approved of the arguments with which the noble Duke had supported his motion, and rejoiced to find that the House of Commons had turned their attention to a subject of such immediate importance to the whole kingdom. The resolutions in question he considered as wisely drawn, and well calculated to be productive of consequences extremely beneficial and advantageous to the country and its best interests. He did not mean to trouble their Lordships by going into detail at any length on a subject which had been so ably treated by the noble Duke; he would therefore content himself with reading some resolutions respecting enclosures in general, voted unanimously by

the

the grand jury of York at the laſt aſſizes, which ſerved much more forcibly to expreſs his ſentiments on the ſubject than any words he could ſelect for himſelf. The reſolutions commenced with ſtating that, according to the moſt correct meaſurement and computation, there were ſeven million eight hundred thouſand acres of waſte and uncultivated lands in this kingdom, and that their encloſure and cultivation would be of the firſt advantage to the general intereſts of the inhabitants: they therefore moſt ſtrenuouſly recommended it by their ſubſequent reſolutions. Lord Carrington ſaid, it was evident from the reſolutions he had read, that this country contained within itſelf the means of preſervation againſt future want or ſcarcity; and that it was ſomewhat to our reproach that we had not exerted thoſe means in due time, to prevent the dearth of proviſions that we had lately ſuſtained. It was, however, no inconſiderable ſatisfaction, to know from indiſputable authority, that, if the wretched commons and waſte tracts, producing only a ſcanty and wretched herbage, feeding none, but wretched animals, and, he believed he ſhould not go too far if he ſaid, inhabited only by wretched beings, were encloſed, and by due cultivation converted into either productive arable or paſture lands, we might bid defiance to future want, and be placed beyond the poſſible reach of famine. Upon theſe grounds, he hoped the reſolutions would be adopted, and followed up by a bill or bills calculated to give them full effect.

The *Lord Chancellor* left the woolſack, and ſaid, he by no means intended to oppoſe the reſolutions, but merely to offer ſuch ſuggeſtions as preſented themſelves to his mind on the ſubject. In the firſt place, he very much doubted whether any regulations, adopted by the Legiſlature, could ſerve to promote the cultivation and improvement of waſte lands and commons. He rather believed that encloſures in general muſt depend upon the ſpirit, the activity, and the ability of private individuals, who felt it their intereſts to ſet about encloſing, and apply to Parliament for bills of encloſure. It was undoubtedly wiſe and right that the individual who riſqued the expence and trouble of encloſing, ſhould ſhare with the public in the profits of ſo doing. One thing he had the ſatisfaction to inform the Houſe, which they might not be aware of, viz. that in the preſent ſeſſion there had been a very conſiderable increaſe of encloſure bills. A hundred and ten petitions had, he believed, been preſented, and above a hundred bills of encloſure had already paſſed in con-

ſequence, and ſeveral were yet pending. With regard to the wording of the firſt general reſolution, there was an obvious inaccuracy of expreſſion in it, that had eſcaped and called for correction. It ſtated, as words of general deſcription of waſte and unproductive lands, "Common arable fields, meadows, and common paſture in this kingdom." Whereas *common paſture* was not correctly a deſcription of common land, but of a right over land, and therefore the term was inaccurate. In reſpect to the admiſſion of affidavits in the ſecond reſolution, it might poſſibly be practicable as to notices, but not ſo with regard to conſents, and ſtill leſs with relation to the allegations of the bills of encloſure. His Lordſhip ſtated the ground of difficulty that preſented itſelf to his mind againſt admitting affidavits authenticated by one or more magiſtrates in caſes of conſent, and the allegations of bills, obſerving that imprudent magaiſtrates might incautiouſly admit perſons, unknown to them, to make very raſh and improper affidavits. He mentioned the caſe of an affidavit ſworn by a man as to the age of a female he had married, becauſe ſhe had ſome fortune; his affidavit depoſed that ſhe was an adult and of full age, though in fact ſhe was but fourteen years old, and a very young looking girl for that age. The cauſe lately came before him in the Court of Chancery, and he had conſidered the man as liable to an indictment for perjury, but when the judges came to give their opinion, they decided that it was no perjury, and the man who had been committed for a contempt by him, could only be proſecuted as a cheat. As to a general law, if ſuch a canon of law of encloſure could be deviſed, compriſing all ſuch proviſions as by experience have been found neceſſary in moſt bills of encloſure, it would certainly have its uſe, but he feared it would be found impracticable, and that act, as in the caſe of the general highway act, which had not in the leaſt tended to ſhorten private highway bills, ſo in this caſe, a general canon of encloſure law might fail of its expected object, and not in the leaſt have the effect of ſhortening future private bills of Encloſure. The fourth reſolution, which ſtated "that it may be expedient that proviſion ſhould be made in ſuch general law for taxing the charges of the Solicitor," though he had little doubt that in ſome caſes the charges brought in by ſolicitors of bills of encloſure were enormous, he ſaw not how they could be taxed. Solicitors bills for buſineſs done in the Court of Chancery, and other courts of law, were taxable and reduceable to certain ſettled charges, but the caſe was otherwiſe

otherwiſe with ſolicitors of bills in Parliament, who could only be checked if they made exorbitant demands by the client refuſing to pay the bill, letting the matter go to an action, and calling upon a jury to allow what they deemed reaſonable prices. As little did he ſee, his Lordſhip ſaid, how the conduct of the commiſſioners could be regulated. In both caſes the applicant for a bill of encloſure muſt act as warily as he could, but when he had exerted his beſt judgment he might find his expences, and the delay in carrying his bill of enclofure into effect, much greater than he expected. With regard to the laſt reſolution, if bills for ſmall encloſures were actually and *bona fide* ſingle bills, they would pay fees only as ſingle bills, but if they embraced more than one object, were complicated, and occaſioned much time and trouble, they ought in juſtice to pay fees accordingly. His Lordſhip ſtated that the bill of laſt ſeſſion was rejected, becauſe it was looſely and vaguely drawn, and conſidered lands adjoining to common and waſte in the view of mere admeaſurement and arithmetical extent, without the leaſt regard to the different titles and rights of the owners. His Lordſhip added a variety of other obſervations, and ſaid he did not ſtate them as hoſtile to the reſolutions, which he meant not to oppoſe, but he thought it neceſſary to ſuggeſt them for the conſideration of the noble Duke and others. He was himſelf afraid, that no reſolutions of the two Houſes, would of themſelves do much, unleſs the regulations propoſed in them were ſanctioned and enforced by the authority of an act of Parliament.

The *Duke of Bedford* roſe again, and ſaid, that he did not imagine that the reſolutions, ſingly and of themſelves, were perfectly matured, or that they could be very operative, but he wiſhed them to be entertained, as it would ſerve to convince the country, that that Houſe as well as the other, were ſeriouſly induced to pay attention to the ſubject, and do all that ſhould, upon full diſcuſſion, at a fit time, appear to be practicable, both with reſpect to diminiſhing the expence of encloſure bills, and leſſening the difficulties that at preſent ſtood in the way of their being attempted. He had liſtened with attention to the ſpeech of the noble and learned Lord, and collected from his ſuggeſtions, that ſeveral amendments and alterations in the reſolutions were neceſſary to render them unobjectionable: with a view to conſider them, and adopt ſuch alterations as ſhould appear moſt likely to render the reſolutions leſs objec-

tionable, he would, with the leave of the Houſe, move that the further conſideration of the reſolutions be poſtponed.—Ordered to be adjourned to Monday next.

STATE OF PUBLIC AFFAIRS.

Lord *Holland* ſaid, he came to the Houſe that day to make two ſeparate motions for papers, had he ſeen the Secretary of State in his place, as he was the moſt likely perſon to object to the motions, if any objections were applicable, but as he was not in the Houſe, he certainly would not take the Houſe by ſurpriſe, or enter into a conſideration of the merits of his motions, one of which would have been for the inſtructions ſent out to the commander in chief in the Mediterranean, authoriſing him to break the convention entered into between the commanders of the French forces in Egypt and the Ottoman Porte, and Sir Sidney Smith.

The other would be, for the ſtate of the foreign ſubſidies ſent abroad in the courſe of the preſent year, or rather ſince the firſt of January, 1799.

His Lordſhip gave notice that he would, in the courſe of next week, bring forward a motion for an addreſs to his Majeſty, praying his Majeſty not to prorogue Parliament during the preſent awful ſtate of public affairs. He ſaid he was aware, that in conſequence of the time of year, and the inconvenience of attending, ſuch a motion would be a very unpopular one, but to no noble Lord would it be more inconvenient than to himſelf, he would therefore do his duty. He concluded with moving, that the Lords be ſummoned for Wedneſday next.

The appeal cauſe of Lord Galloway againſt the Lords of the Treaſury was put off from the next day to Friday next. Adjourned to the next day.

HOUSE OF COMMONS.

THURSDAY, JULY 3.

The bill for regulating the wages of Cotton Manufacturers was reported, and ordered to be read a third time on Monday.

An account was preſented and ordered to lie on the table, of the receipt and application of the money veſted in the hands of the Weſt India Dock Company, from the 12th of July, 1799, to the 4th of June, 1800.

Alſo

Alſo from the Cuſtoms an account of the quantity of foreign wheat imported into London, from the year 1781 to the preſent year, diſtinguiſhing the quantity imported each year.

The bill for a temporary ſuſpenſion of the duty on foreign hops imported, was read a firſt time, and ordered to be read a ſecond time the next day.

Alſo the bill for permitting the Importation of French wines into Jerſey and Guernſey.

The bill for preventing the embezzlement of the King's naval ſtores, &c. &c. was read a ſecond time, and committed for monday.

Alſo the poor childrens' Indenture Bill.

Mr. *Hobhouſe* roſe to preſent a petition, which, on account of ſome informality, in the wording of it, had been refuſed admittance the preceding day. The prayer of the petition was againſt the New Foreſt Bill paſſing into a law. Whatever was before objectionable in it, he hoped was now wholly removed; and, on the part of the petitioner (Mr. Scott) he was ready to ſay, that it gave that gentleman real pain and concern that any expreſſion ſhould have been uſed by him that could afford the leaſt offence to the Houſe. If they unfortunately thought ſo, it never was ſo intended by the petitioner.

The *Speaker* obſerved, that if the petitioner had expreſſed the ſame intention the preceding day, yet, on account of ſome particular expreſſions in the petition, it was not within the rules of the Houſe to entertain it.

A long converſation then enſued reſpecting the propriety of receiving the petition: Mr. Douglas, Mr. Roſe, and the Attorney General oppoſed it; it was ſupported by Mr. Hobhouſe, Mr. Jones, and Sir F. B Jones. The petition was then ordered to be brought up; after which Mr. Hobhouſe moved, that it lie on the table till the third reading of the Bill; the petitioner to be then heard by his counſel againſt it, if ſo he thought fit.

Mr. *Perceval* would not oppoſe the hearing of counſel, if the progreſs of the Bill through the Houſe was not thereby retarded.

Mr. Wilberforce, Mr. Sturges, the Attorney General, Mr. Martin, Colonel Elford, Mr. Elliſon, and Mr. Roſe, ſaw no adequate reaſon for poſtponing the progreſs of the bill for the ſake of giving time for counſel to be heard. The latter gentleman then moved an amendment—"That what regarded

garded the hearing of counſel on the third reading of the bill ſhould be omitted." The oppoſite opinion was ſupported by Mr. Hobhouſe, Mr. Nicholls, Sir F. B. Jones, &c. after which the Houſe divided.

For the amendment 36—Againſt it 12.

The report of the Committee on the bill for eſtabliſhing a London Corporate Company for the manufacture of bread and flour was then brought up, when

Lord *Hawkeſbury* roſe to propoſe ſome amendments, the firſt of which was—"That no manager be permitted to deal in corn, on his own account, without being liable to a certain penalty." This clauſe was deferred that it might be previouſly ſubmitted to a committee as impoſing a pecuniary penalty.

Lord *Hawkeſbury* next moved a clauſe for continuing the operation of the bill for ten years.

Sir *William Pulteney* oppoſed this clauſe, and thought that the term of three years was fully ſufficient.

Mr. *Percival* ſupported the clauſe, and ſaid that the term of three years was not ſufficient even for an experiment.

Mr. *Hobhouſe* thought ten years too long, and three too ſhort a time, but his further obſervations he would defer till the next day, when he underſtood the meaſure was to be more amply diſcuſſed.

After a few words from Mr. Elliſon and Mr. Percival, the Houſe divided on the clauſe.

For it, 29—Againſt it, 9.

The order of the day was then read for the ſecond reading of the Bill to enable their Majeſties to diſpoſe by will, of their real and perſonal property, when

Mr. *Sutton* roſe and ſaid, that he was authoriſed by his Royal Highneſs the Prince of Wales, to expreſs his moſt cordial acquieſcence in the bill, and he truſted that this declaration would induce the learned Gentleman (Mr. Nicholls) to withdraw his oppoſition to the bill.

Mr. *Nicholls* ſaid, that as a Member of Parliament, he felt it to be his duty to perſevere in his oppoſition; as the law now ſtood, his Majeſty had no more power to diſpoſe of his perſonal property, than he had to diſpoſe of the ſovereignty of the kingdom. The act that had been ſo much inſiſted upon by a learned Gentleman (the Attorney General) has only the force of an ordinance of two branches of the legiſlature; it was no ſtatute; it wanted the vital and eſſential part of a ſtatute, the aſſent of the King. This doctrine

Mr.

Mr. Nicholls ſupported on the authority of Lord Coke, and ſeveral other grave and weighty legal authorities.

Although it were a valid act of the Legiſlature, which he contended that it was not, ſtill it ought not to abridge the rights of the crown. It might appear, that granting this power, was increaſing them; but it might be remembered, that the King who ſucceeds may thus be deprived of what is legally his due His reaſoning was confirmed by the invariable uſage of the realm. King James ſucceeded to the whole of the perſonal property of Queen Elizabeth; the whole of Queen Anne's perſonal property fell to George I. although he had no pretenſions to being her heir; and his preſent Majeſty ſucceeded his Royal Grandfather in all the property, both real and perſonal, which George II. left behind him, although he was only one of ſeveral children, and though part of the eſtate was otherwiſe deviſed by will. Authority likewiſe was on his ſide. The opinion of eight lawyers had been taken upon it, whether Queen Anne could diſpoſe, by will, of certain jewels which ſhe herſelf had purchaſed; and they unanimouſly decided that ſhe could not. It was likewiſe the opinion of thoſe who were conſulted upon that point, that the Duke of Cumberland was not entitled in law to the legacy left him by his father. The power propoſed to be given would be very dangerous, as under the term perſonal property, might be comprehended the King's ſhips, ſtores, and money in the Exchequer. It would be an infringement upon the Conſtitution, as the political capacity of the King of England had ever been conſidered to abſorb his perſonal property; it would be a cauſe of diſſenſion in the Royal Family, as a ſubſequent Parliament might repeal the ſtatute, and diſappoint perſons of their fond expectations. It might be ſaid, that it would be hard not to allow the King to do what was permitted to the meaneſt of his ſubjects: but it ſhould be remembered, that the King had no occaſion to make a will, as his wife, his children, and relations were amply provided for by Parliament. Mr. Nicholls then concluded a moſt learned ſpeech by expreſſing a hope that the right hon. Gentleman would withdraw the bill—if it was not withdrawn, he ſhould take another opportunity of ſtill more fully expoſing its impolicy.

The *Attorney General* ſaid, the hon. Gentleman had ſhewn that he had not abandoned the ſtudy with the profeſſion of the law. But at the ſame time a great part of what he had heard convinced him more ſtrongly than ever of the expediency of paſſing

paſſing the bill. Doubts and difficulties did exiſt, and ought to be removed. Whether the 16th of Richard II. was or was not a ſtatute, he would not take time to conſider; but he contended that at common law the Kings of England had a right to deviſe their perſonal property by will. The hon. Gentleman then traced the practice in this particular from the earlieſt times, and ſhewed that Edward III. Henry VII. Henry VIII. and ſeveral other Princes, had actually availed themſelves of this prerogative. It was cruel, he ſaid, that his Majeſty ſhould not have it in his power to reward the ſervices of an old and faithful domeſtic, to ſhew his ſenſe of the merits of a dutiful and affectionate child, or to do any of thoſe offices in his laſt moments which are ſo dear to the human heart. Having made a further obſervations, he concluded by requeſting that Gentlemen would allow the bill to go into a Committee, that they might ſee what improvements it was capable of receiving. When it came out of the Committee he had little doubt that it would meet the approbation of every one.

Mr. *Roſe* ſaid he would engage to point out ſeveral acts to which the conſent of only two branches of the Legiſlature was expreſſed, and which had ever been conſidered as valid ſtatutes and acted upon as ſuch.

The bill was then read a ſecond time and committed for Monday.

The Executory Deviſes Bill was reported, and after ſome converſation between the *Maſter of the Rolls*, the *Attorney-General*, Col. *Elford*, and Mr. *S. Douglas*, ordered to be read a third time on Monday.

The Quarantine Bill went through a Committee of the whole Houſe, and was ordered to be reported the next day.

Mr. *S. Douglas* preſented an account of the returns of the qualifications of the Lord Lieutenants and Officers of the Militia. Ordered to lie on the table.

A Bill to continue an Act paſſed laſt ſeſſion for the encouragement of the Britiſh Fiſheries, was read a firſt time, and ordered to be read a ſecond time the next day.

The Prince of Orange's Convention Bill was read a ſecond time, and ordered to be committed on Monday.

The Hop Fraud Bill was read a third time and paſſed.

Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, JULY 4.

The ſeveral bills on the table paſſed their reſpective ſtages. Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, JULY 4.

The Houſe went into a Committee of the whole Houſe, to conſider of the moſt effectual means of preventing depredations on the river Thames.

Mr. *Secretary Dundas* entered at great length into the ſubject, expoſed the magnitude of the exiſting evils, and explained the remedies he meant to propoſe. Among other things he ſaid that when the immenſity of the property in the port of London was conſidered, it was not to be wondered at if ſome part of it fell a prey to thieves and robbers. Goods to the value of ſeventy millions of money could not be removed from place to place without ſuffering great loſs. The depredations actually committed, however, were far greater than thoſe which were unavoidably great to a degree, which no man unacquainted with the ſubject could poſſibly conceive. The Weſt India merchants had been ſo ſenſible of this, that they had entered into a voluntary aſſociation to protect their property, the benefits reſulting from which had been aſtoniſhing. The public revenue upon the article of ſugar was increaſed 30,000l. a year from the depredations thus prevented in that article, and many houſes which had formerly flouriſhed from receiving ſtolen goods from the Weſt Indies, had fallen into decay. Was it not proper then that this beneficial ſyſtem ſhould be extended to every other branch of trade? The meaſure he propoſed was to create magiſtrates of the ſame nature with thoſe who now ſo worthily preſide over the Marine Police, who ſhould make it their buſineſs to protect property of every deſcription on every part of the river. The right hon. Gentleman beſtowed many high encomiums on that intelligent and active magiſtrate, Mr. Colquhoun, with whom he had conſulted on the ſubject, and concluded by moving the two following reſolutions, which were unanimouſly agreed to:

Reſolved, That in the opinion of this Committee, that it is expedient that a Police Office be erected with proper aſſiſtances to prevent depredations on the River Thames,

Reſolved, That it is the opinion of this Committee that the expence to be incurred in carrying this plan into execution ſhould be defrayed from the Conſolidated Fund.

The Houſe being reſumed, the report was ordered to be received on Monday.

A perſon from the Eaſt India Houſe preſented ſeveral accounts, which were ordered to lie on the table for the peruſal of the Members.

The Eaſt India Government Regulation Bill went through a Committee of the whole Houſe, and was ordered to be reported on Monday.

Mr. *Abbot* brought up the report of the Select Committee appointed to enquire into the ſtate of the public records. Ordered to be printed.

A meſſage from the Lords informed the Houſe, that their Lordſhips had agreed to the Leith Harbour Bill, and ſeveral others, without amendment.

Mr. *Jones* moved, That an humble addreſs be preſented to his Majeſty, praying that his Majeſty would be graciouſly pleaſed to lay before the Houſe a copy of the inſtructions ſent to the commander in chief of the Engliſh fleet in the Mediterranean, for breaking the convention entered into between Sir Sydney Smith, the Ottoman commanders, and General Kleber, for the evacuation of Egypt.

The *Chancellor of the Exchequer* ſaid, he was ſurprized the hon. Gentleman ſhould move for papers of ſuch very great importance without having previouſly given notice of his intentions; and he hoped the hon. Gentleman would not preſs the motion, but would name a future day, when it might be fairly and fully diſcuſſed. He ſhould not at all enter into the ſubject then, but he could not help obſerving upon the ſtrange terms of the motion. It was there affirmed that Lord Keith had received inſtructions actually to break the convention.

Mr. *Jones* ſaid, that ſince it ſeemed to be conſidered as irregular to make ſuch a motion without notice, he ſhould withdraw it for the preſent, and bring it forward again on Tueſday next. From a letter which he had ſeen in the French newſpapers, he thought it his duty to call for inveſtigation as ſoon as poſſible, and unleſs the right hon. Gentleman could prove that letter to be a forgery, he truſted that he would not refuſe a copy of the papers required.

The Houſe then formed itſelf into a Committee of Supply, to which the eſtimate of the expence of erecting an

aſylum

aſylum for the reception of the orphans of ſoldiers was referred.

The *Secretary at War* roſe to make his promiſed motion, with regard to the formation of this inſtitution. He cautioned the Committee againſt being carried away by their feelings on this occaſion, but, upon cool reflection, he added, there was ſurely no ſet of perſons who had fairer pretenſions to the conſideration of the country than the children of thoſe who had died in defending it. Theſe unfortunate orphans had hitherto been in a moſt diſtreſſed ſituation; they had not even the means of relief left to the moſt wretched, as no pariſh would recogniſe them. For the children of ſailors, who were by no means ſubject to ſuch caſualties, there was already an inſtitution of the nature he propoſed, and in Ireland there had long been inſtitutions of this kind for the children of ſoldiers, which it was not perhaps very honourable to this country that we had not ſooner imitated. It was by no means meant that the permanent expence in maintaining this aſylum ſhould be defrayed by Parliament; he was confident that the voluntary contributions of the charitable would be fully adequate to this purpoſe. The gentlemen in the army he was ſure would give it every ſupport. The number of children propoſed to be at firſt taken in was 500; the half of theſe to be boys, and the other girls. When the boys had attained the age of fourteen, it was propoſed to give them their choice of entering the army, or being bred up to ſome trade. If they choſe the former they would be formed into regiments; and if the latter, they would, along with the girls, be put out to ſervice, or entered as apprentices. The eſtimated expence of feeding, clothing, lodging, and educating each was 15l. a year. Moſt fortunately, an extremely deſirable ſituation had been found, which was at a ſufficient diſtance from London to have a wholeſome atmoſphere, and ſufficiently near it to be under the ſuperintendance of the directors—he meant Chelſea. How pleaſant muſt be the ſpectacle then there exhibited! the aged warrior, comfortable himſelf, ſeeing in comfort the helpleſs orphans of his fallen friend; the old and the young mixing together; thoſe who have bled for their country, and thoſe about to bleed for it. The right hon. Gentleman then concluded by moving that the ſum of 25,000l. be granted to his Majeſty to enable his Majeſty to erect an aſylum at Chelſea for the reception of the orphans of ſoldiers.

Mr. *Huſſey* had no objection to the principle of the meaſure

ſure propoſed, but he thought that Portſmouth or Plymouth would be a better place than Chelſea, as its vicinity to the metropolis would render the reſidence of the children there very dangerous to their morals.

The *Secretary at War* replied, that he did not believe there was greater profligacy in London than in Plymouth or Portſmouth. At any rate the children could be better looked after if they were ſettled in the neighbourhood, and their extreme youth would render it impoſſible for them to be corrupted before they left the aſylum.

General *Tarleton* rejoiced at the proſpect of this benevolent plan being executed. The unfortunate wretches for whoſe benefit it was intended had, he ſaid, been too long expoſed to the pelting of the pitileſs ſtorm.

The motion was then put and agreed to, the Houſe was reſumed, and the report ordered to be brought up on Monday.

Mr. *Weſton* ſaid, that as he underſtood it would be inconvenient for ſome members to attend on Monday, he ſhould defer making his promiſed motion with regard to the war till Wedneſday next.

Sir *Francis Burdett Jones* gave notice that on Thurſday he would make a motion relative to the Houſe of Correction in Cold-Ba h-Fields.

The High Treaſon Trial Regulation Bill went through a Committee of the whole Houſe, and being divided into two, was ordered to be reported in that ſtate on Monday.

The Monaſtic Inſtitutions Regulation Bill was read a third time.

Mr. *Charles Wynne* ſaid, that though the bill was much leſs exceptionable than when firſt brought in, he ſtill highly diſapproved of it, as it was altogether unneceſſary, and went to reduce Catholics to a worſe ſtate than other Diſſenters. However, as he had no hopes of ſeeing it thrown out, all that was left for him to do was to try to make it as little prejudicial as poſſible. With that view he had prepared a clauſe, the object of which was, to allow an appeal to the quarter ſeſſions from the deciſion of the magiſtrates acting in virtue of the act. This clauſe he moved for leave to bring up.

The clauſe was then brought up, read a firſt, ſecond, and third time, and added by way of rider to the bill.

Mr. *Jones* ſaid, he hoped the bill would ſtop the converſion of Proteſtants to Popery, the frequency of which was now ſo alarming. If it did not, he ſhould eſteem it his duty to bring forward

forward next ſeſſion of Parliament ſome meaſure of a ſtronger kind.

Mr. *Wilberforce* and Mr. *Sturges* ſpoke each a few words, and the bill was then paſſed and ordered to be carried to the Lords.

Colonel *Gaſcoyne* brought up a bill to explain and amend an act paſſed laſt ſeſſion, to prevent unlawful combinations among journeymen workmen. Read a firſt time, and ordered to be read a ſecond time on Monday.

Mr. *Sturges* moved the order of the day for the third reading of the New Foreſt Bill.

Sir *F. B. Jones* ſaid, that he had the preceding day declined the offer of counſel being allowed to be heard at the bar in favour of the petition preſented by Mr. Scott, only becauſe, from the ſhortneſs of the time allowed him, he had thought it impoſſible for that Gentleman to have his counſel inſtructed, and his witneſſes got ready before the day fixed for the third reading. However, having ſince conſulted with that Gentleman, he had found that he was miſtaken, as Mr. Scott would be happy to be heard even now, and had counſel in waiting ready to vindicate his claims. The hon. Baronet then read a petition from William Scott, Eſq. which he moved for leave to bring up. The petition being carried up and read by the clerk, he moved, that it lie on the table till the bill be read a third time, and that the petitioner be then heard by himſelf, or his counſel.

Lord *Hawkeſbury* ſaid he had no objection to the motion now made by the hon. Baronet; but as a very important ſubject ſtood that night for diſcuſſion, and as many who were deeply intereſted in it, had come down to hear it diſcuſſed, he muſt object to the bill being read a third time before Monday.

Mr. *Wilberforce* and Mr. *Roſe* ſaid, that they had not a ſhadow of objection to counſel being heard; and that they would have expreſſed the ſame ſentiments formerly, had the former petition been of a ſimilar nature with the preſent.

The motion was then put and unanimouſly carried.

Colonel *Lowther* preſented a petition againſt the Bill, from the Ducheſs Dowager of Bolton; and moved that her Grace be heard at the bar by herſelf, or her Counſel.—Agreed to.

Colonel Lowther then moved that the Bill be read a third time on Tueſday next.

The *Attorney General* ſaid, he could ſee no reaſon for ſuch delay. The Ducheſs of Bolton, he was ſure, had miſ-

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conceived the nature of the Bill. He was perfectly well acquainted with her rights, from the report of the Committee on the ſtate of the Crown Lands; and he would take upon himſelf to ſay, that they would not be in the remoteſt degree affected. They were exactly of the ſame nature with thoſe of Prince William and Princeſs Sophia of Gloucester; and both of theſe illuſtrious perſonages have given their unqualified aſſent to the Bill.

Mr. *Gower Langton* propoſed as a certain way to remove all difficulties, that a proviſo ſhould be inſerted to protect uninjured all the rights of her Grace the Ducheſs of Bolton.

Mr. *W. Dundas* ſaid, that this noble perſonage ſhould ſooner have laid in her claims, as ſhe had had ſufficient notice. At this rate, ſome one elſe might come in on Tueſday and call for delay with equal propriety.

Mr. *Pierrepoint* ſaid, it would be extremely ungallant in Gentlemen, not to grant the Lady her requeſt.

Mr. *Roſe* ſaid, that out of doors the laws of gallantry were omnipotent; but in that Houſe they muſt ſacrifice politeneſs to the good of the ſtate.

Mr. *Hobhouſe* ſaid, it was very improper to prejudge the cauſe, as had been done by the right hon. Gentleman oppoſite (the Attorney General). The conſtitution gave to every one a right of ſtating explicitly his rights, and the injuries he apprehends.

Mr. *D. Ryder* oppoſed the motion, and Sir F. B. Jones ſupported it.

Mr. *Sheridan* ſaid, they were bound, not only from gallantry, but from common juſtice, to yield to the prayer of the petition, and to fix the third reading for Tueſday. He did not believe that the Ducheſs of Bolton could make out any caſe to ſhew that the Bill ſhould be rejected; but moſt unqueſtionably ſhe had a right to be heard. Much had been ſaid about the length of time the Bill had been in the Houſe; but it ſhould be recollected that many new clauſes had been inſerted, and that its preſent was very different from its original ſtate. He ſaw no great merit at any rate in bringing in a Bill of ſuch conſequence ſo late as the 8th of June. If he had the conduct of it he ſhould have brought it in at a much earlier period, nor ſhould have ſnapped at thoſe even then who aſked for a ſhort delay.

Mr. *Sturges*, at the ſuggeſtion of the Attorney General, then withdrew his oppoſition to the motion, and the ſecond reading was fixed for Tueſday.

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The Quarantine Bill was reported, and ordered to be read a third time on Monday.

The Bill for the encouragement of the Britiſh Fiſheries; the Bill for repealing the Duties on Foreign Hops; and the Bill for allowing the importation of French Wines from Guernſey and Jerſey, were reſpectively read a ſecond time, and committed for Monday.

Colonel *Gaſcoyne* moved that there be laid before the Houſe an account of the amount of Exchequer Bills iſſued in virtue of an act paſſed this ſeſſion for the relief of the Merchants of Liverpool and Lancaſter.

Mr. *Sheridan* ſaid, the motion was unneceſſary, as the fact ſpoke for itſelf, and the merchants, from not being deſired to pay their debts, muſt actually have paid them.

Colonel *Gaſcoyne* ſaid, that a report had gone abroad that they meant to apply for an extenſion of the period within which they muſt make the inſtalments, and he wiſhed to prove how groundleſs it was. The motion was then agreed to.

LONDON FLOUR COMPANY INCORPORATION BILL.

Lord *Hawkeſbury* ſaid, he roſe to move the order of the day for the third reading of the Bill for incorporating a number of perſons, to be called "The London Company, for the manufacturing of meal, flour and bread." Before he did ſo, however, he begged leave to mention to the Houſe, that aſperſions had been thrown by ſome of the witneſſes examined, upon the Company of Birmingham, and as it was of great importance that the credit of that Company ſhould be eſtabliſhed, there was a Gentleman in waiting who could give the moſt ſatisfactory evidence upon this ſubject. He ſhould wiſh him to be called to the bar, but if that ſhould be thought irregular, it might be remembered that this witneſs could give the moſt ſatisfactory evidence.

Mr. *Sheridan* ſaid, upon this ſubject no evidence could be given which was not legal, and it would be extremely unfair now, when the third reading of the Bill had been fixed, to try to falſify what had been regularly given. The Counſel could now have no opportunity of remarking upon what ſhould be ſaid, nor of bringing witneſſes to contradict it. He was a good deal ſurpriſed to ſee the noble Lord have recourſe to ſuch an expedient to do away the impreſſion which had been made.

The *Speaker* ſaid, the proceeding propoſed by the noble Lord was not precluded by the rules of the Houſe; but was certainly very unuſual, and ſome ſtrong ground ſhould be laid to

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shew the expediency of adopting it. It would have been more regular to have moved that the further consideration of the report should have been adjourned to a future day; and, considering the quantity of evidence which had been already received, he questioned if the House would have acceded to the proposal.

Mr. *Rose* said, that the present was as strong ground as possibly could be laid in any case. The reason why the witness was not called before was, that they were not aware of the evidence which was given by the person they wished to contradict.

Mr. *Tierney* said, that he did not see that any discredit whatever attached to the Birmingham Baking Company. He had asked, whether or not it was successful? and the witness had answered that it was not. But surely ill success was no proof of want of attention, and far less of want of integrity.

The *Speaker* said, that this debate was extremely irregular, as no motion was then before the House. The order of the day for the third reading of the Bill was therefore read by the Clerk, and he put the question, that the Bill be now read a third time?

Mr. *Tierney* rose for the purpose of taking the opinion of the Speaker and of the House, whether those Members who held shares in this intended Incorporation Company should be permitted to vote, as it was a rule of the House that no Member should be allowed to vote in a question in which he has an interest. He instanced the proceedings of the House as to the loan of 1797, and thought this was similar to it. He said he should also take an opportunity of moving that the interest of the shares should only be 5 per cent. instead of 10, as they now stood.

The *Speaker* said he conceived the objection of the hon. Gentleman could only apply to those Members whose names are in the Bill. In the case in 1797, respecting the loan, there was a list, and on that list there appeared the names of certain Members who were subscribers to it. That was also a certain interest. He had not yet formed his opinion, but it seemed to him that, in the present instance, there was a kind of distinction; this was not only very small, but an uncertain and precarious instance.

Mr. *Ryder* said a few words in favour of the Members being permitted to vote, on the ground that it could not be supposed any Member could be biassed by an interest so truly trifling, as they would receive in the present case.

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Mr. *Sheridan* ſaid, he took the point to be of great importance, and the diſtinction which had been made to be no diſtinction at all. He profeſſed to have every degree of reſpect for the authority of the Speaker's opinion; but the rule was, "that the perſon intereſted ſhall not vote." No matter how ſmall or how extenſive the intereſt was, it was the ſame whether it was five pounds or whether it was a hundred.

The *Speaker* requeſted the Houſe to recollect, that he had as yet given no opinion on the point, but had merely thrown out what he had ſaid for the conſideration of the Houſe. The only way would be for the Houſe to come to a determination whether thoſe Members ſhould be allowed to vote, and if they ſhould determine to exclude them on every diviſion, their votes muſt be objected to, and the diviſion made up without them.

Mr. *Wilberforce* ſpoke to order.

Mr. *Plumer* ſaid, that after what had fallen from the chair, he would deſire nothing better than to leave it to the Gentlemens' own honour and delicacy, whether they would vote or not. He would now aſſign his reaſons for objecting to the preſent Bill being read a third time. The ground on which the Bill was brought in went upon a ſuggeſtion of a combination among the millers and meal-makers. However, in the whole courſe of the Bill through its various ſtages, no ſuch thing had been attempted to be proved by evidence. On the contrary, when counſel were heard againſt the Bill, and evidence adduced on the part of the petitioners, all idea of combination had been given up. Even Mr. Garrow, the learned Counſel who had ſpoken in favour of the Bill, on hearing the evidence, had declared, that in his mind the ſuggeſtion of combination was entirely done away. But even ſuppoſe it had been proved, the incorporation of this Company of opulent perſons by a charter would make a ſtill greater monopoly. In the caſe of the Albion Mills, in the year 1784, an honourable and learned Gentleman, now in this place, who then held one of the firſt law offices under the crown, could tellify, that when the Albion Mills Company applied for a charter, that honourable and learned Gentleman and the then Solicitor General had made a report againſt them, and they were obliged to give up the point. The reaſon was plain; the law officers of the crown at that period thought ſuch a monopoly too great to be entruſted in the hands of any body of men. As there was a preſence no evi-

dence before the Houſe to ſhew the ſmalleſt neceſſity for ſuch an incorporation, which will give a total monopoly of articles of the higheſt neceſſity in life to a party of opulent gentlemen, he thought the Bill highly improper, and would therefore oppoſe its further progreſs.

The *Maſter of the Rolls* ſaid, that as he had been alluded to in the ſpeech of the hon. Gentleman who ſpoke laſt, he would trouble the Houſe with a few words at this particular moment, in order to put the hon. Member right on the ſubject to which he had alluded. He remembered that when he was Attorney General he had been applied to by the Albion Mills Company to give a report in favour of a charter, but on conſidering the ſubject, it appeared to him to be a very dangerous experiment to grant a charter, authoriſing perſons of very large capital to obtain a monopoly of the moſt eſſential articles of life to all claſſes of the community. The Solicitor General and he therefore ſet their faces againſt it. He did not recollect at that moment how it exactly ſtood; but he believed, nay, was certain, no report had been made. When they applied a ſecond time he told them, that if they perſiſted he and the Solicitor General would certainly report againſt them. If the preſent Bill actually went ſo far as to eſtabliſh ſuch a monopoly, he ſhould undoubtedly view it as a very dangerous meaſure, and would vote againſt it. He had not particularly attended to the extent of its proviſions; but he would hear the reaſons urged for and againſt, and would look upon himſelf entirely at liberty to vote againſt or for it, as it appeared to him to deſerve.

Mr. *Plumer* explained. He aſſured the honourable and learned Gentleman he had no intention to miſrepreſent him. He had been informed that a report had been made relative to the Albion Mills. However, what the honourable and learned Gentleman had ſaid anſwered his purpoſe full as well, which was, that the Law Officers had determined to report againſt, That had cauſed them to deſiſt, and that was all he wanted the preſent Company to do.

Mr. *Bradulph* ſaid, he was very ready to advance his money to any amount, but would not reſign his right of voting unleſs the Houſe ordered it. He ſaid the Birmingham Union Mills were a very fit ſubject for conſideration in judging of the preſent queſtion: and he thought the witneſs who was attending ought now to be examined. He would therefore move to have him called in.

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The *Speaker* informed the hon. Gentleman he might then make that motion if he thought proper: that was the proper time.

Mr. *Biddulph* began to move this, but did not know the name of the perſon, nor his ſurname, and therefore deſiſted.

Mr. *Percival* ſaid, he ſhould take the opportunity of then making his ſtand againſt the Bill, which he had always condemned in his own judgment from the firſt moment of its introduction. He objected, however, to what had fallen from the honourable Member who began this debate, (Mr. Plumer), as to leaving it to the honour or feeling of thoſe gentlemen who are ſubſcribers, whether they will vote or not. He thought they ought to vote, by all means. The hon. Gentlemen who had ſtarted the objection, ſeemed to him not to be aware to what an extent their doctrine led. If a queſtion of an additional land tax was to come on in the Houſe, ſhould every member who was liable to pay that tax be excluded from voting becauſe he was intereſted? If a queſtion was agitated relative to the funds, ſhould every member who had an intereſt in the funds be made incapable of voting? This would certainly be the caſe if ſo trivial an intereſt as the preſent ſhould be allowed to incapacitate from voting. As to the Bill now before the Houſe, he viewed it as a meaſure of the moſt extreme importance to the metropolis and the country at large. He had looked at it in all its bearings attentively: conſidered all its proviſions, and in every poſſible light in which he ſaw it, he was more and more convinced that the meaſure was moſt impolitic and unwiſe, and certainly at this time moſt unſeaſonable. No meaſure of public utility ought to originate in times of public preſſure. Every meaſure of this nature ought to be proportioned to the preſſure, if there was an actual neceſſity for it. The only neceſſity which could be, or had been, urged on the preſent occaſion, was the ſcarcity which had for ſome time paſt prevailed. However, it had always been uſual, on every occaſion when the Legiſlature had found it neceſſary to make a law on the ſpur of any occaſion, and a regulation of this kind was applied for, to limit the duration of the Act to the emergency of the occaſion which called for it. If this emergency is to be attributed to the preſent ſcarcity, it is abſolutely nugatory, for it cannot be brought to operate on the preſent evil. The great extent of the buildings, the magnitude of the wheels, and every part of the machinery to be uſed in it were ſuch, that it muſt be a year and a half, or two years, before they can begin to

work. Our preſent ſcarcity, there was every reaſon to hope, will vaniſh when the next harveſt is reaped, ſo that the ſupporters of the preſent Bill are originating a meaſure that will only begin to operate when the evil ceaſes. The hon. Gentlemen who ſupport this Bill had ſhewn conſiderable adroitneſs in their mode of conducting the buſineſs of its procedure. In ſuch a caſe as this one would ſuppoſe that thoſe applying for an Incorporation Bill ſhould lay before the Houſe ſome grounds for ſuch a meaſure, and that they would ſupport theſe grounds by evidence. But here was no ſuch thing; not a ſingle tittle of evidence is produced on their part, but they very dextrouſly put it upon the millers and bakers to prove a negative, and then immediately tell them, "We don't very well like the nature of the evidence you produce. Mr. Pratt, the miller, who is a great monopolizer, will never bring proofs of his own monopoly." Why then did not the ſupporters of the Bill produce the evidence to this effect if ſuch a thing really exiſted? The ſupporters of the Bill ſay they don't mean to make any charge againſt the millers and bakers, but it is exactly the ſame thing as if they had made a direct charge, for ſurely the effects of the meaſure muſt be to ſay that the millers and bakers get great profits from the people. If this was not the caſe it would ſeem as if they thought there was a deficiency of mills to grind the neceſſary quantities of corn for the daily conſumption of the metropolis and its vicinity. Here again Parliament have a right to complain, and have not been very well uſed by the ſupporters of the Bill, who certainly ought to have produced ſome evidence of ſuch a fact. But on this, as well as the other head, there is not a ſingle tittle, not one ſolitary witneſs produced; whereas, on the contrary, it had been proved in the ſtrongeſt and moſt ſatisfactory manner by the millers, that the mills around the metropolis will grind in ſeven months a ſufficiency of corn to ſupply the metropolis for twelve months. This proves at the ſame time that there cannot be any deficiency of machinery either. Why then ſhould the Houſe paſs a Bill of this nature which, without any evidence whatever, went to eſtabliſh facts that had no exiſtence, and which in the end might be productive of the moſt miſchievous and fatal conſequences?

Having proved that the ſupporters of the Bill had brought no *viva voce* evidence in aid of it, Mr. Percival next adverted to the only evidence of any kind which they had adduced. Theſe were ſtatements on paper, and related to two objects

objects only on which they argued and relied. The one was the Birmingham Union Mills; the other the Albion Mills. Neither of theſe, he contended, proved any thing material in favour of the Bill. The Birmingham Union Mills, he ſaid, will not bear at all on the meaſure. He then went into a ſtatement of their capital, which was upwards of 60000l. He ſhewed the per centage they put by, which was 10 per cent. for keeping their premiſes and works in repair; the intereſt they received for their money, which was little better than 4 per cent.; that if thoſe mills were in London it would be an actual loſing concern, in conſequence of the difference in the price of coals, corn, and other articles; and that the principal profit derived from the Birmingham Union Mills, was in the profit the proprietors received from being alſo the conſumers of their own corn, which they got by ſo much cheaper, as they ſaved the profits they would otherwiſe pay to the miller and baker, after firſt purchaſing their own corn at the cheapeſt poſſible hand, ſo that they eat their bread cheaper than other people in Birmingham and its neighbourhood could do.

In the caſe of the Albion Mills, the hon. Gentleman contended, they did not at all more advance the argument in favour of the preſent Bill. The ſupporters of it had in that point alſo carefully avoided to bring forward any evidence to ſhew the truth of what they aſſerted: that during the five years they continued they lowered the prices in the market. The millers, on the contrary, had proved, in the moſt ſatisfactory manner, that comparatively taking the prices of each period, they were the cauſe of raiſing the price of the market.

If the ſupporters of the Bill had choſen to contradict this, or to prove their own aſſertions, they might have produced their books, and ſhewn what the prices and what their profits were. Here was another point on which Parliament had a right to complain.

Mr. Percival next requeſted the attention of the Houſe to a paper delivered in by Mr. Pratt; not brought deſignedly by him, and drawn up at leiſure, but which was requeſted of him by an hon. Member, and which he made out and delivered in a few hours. By this ſtatement it appeared, that Mr. Pratt had purchaſed 7000 quarters of grain for the uſe of his own conſumption in the ſupply of his trade, which coſt 40,000l. in ſix months. By a calculation of the price of grain at the time of the Albion Mills, the ſame quantity of wheat would have required no more than about 16,000l.

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ſo that there was now a demand of conſiderably more than double the capital required to ſupply the ſame call, which was a clear proof that higher profits were very fairly to be looked for now than at that period. The millers, as well as all other perſons, were entitled to fair and reaſonable profits as a remuneration for their labours and their loſſes, and he believed they were contented with as moderate ones as any other deſcription of perſons whatever; and when they were called upon to vote this meaſure on the experience of the Albion Mill Company, they muſt ſurely look a little to that experience. They had had their ſpeculations, and that not all of the moſt clear and open kind. There was a caſe in Henry Blackſtone's reports of trials in the Common Pleas, vol. 2, pe 63, which was worthy the attention of gentlemen. The ſubſtance of it was as follows:—

ACTION—RONDEAU *v.* WYATT.

The caſe ſtates an agreement by the Albion Mill Company to ſell 3000 ſacks of flour, which the plaintiff was to export, but the company refuſed to deliver—Verdict againſt the company in Michaelmas term, 1791. Facts ſtated—That defendant, as one of the proprietors of the Albion mill, entered into a *verbal* agreement to ſell 3000 ſacks of flour, on an expreſs condition that the flour ſhould be exported to foreign parts, from ſome port which the plaintiff was to open, *and ſhould not meet the defendant and the company again in the home market.* To carry the ſcheme of exportation into effect, the plaintiff ſent to *Shoreham*, in Suſſex, a large quantity of corn and flour, merely to reduce, by colluſion, and a fictitious ſale, the market price to the level preſcribed by the act of Parliament; but the trick being diſcovered, the exportation was prevented; and as the plaintiff could not export, the Albion mill company would not deliver the flour. Plaintiff had filed a bill in chancery, praying a diſcovery of the facts, and the names of the partners.—In his anſwers, the defendant Wyatt, admitted the agreement, but pleaded the ſtatute of frauds, averring that there was not any agreement in writing.

He did not mention this out of any diſreſpect to the Albion Company, but to ſhew their ſpirit of ſpeculation. The preſent Incorporation Company, he ſhewed, muſt be attended with the moſt ſerious and fatal conſequences if the bill was ſuffered to paſs. They were to be allowed to take to their ſhare an eighth part of the conſumption of the metropolis. In doing this they go on a ſpeculation very different to that

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of the millers, and which actually takes away every idea of competition. If the company fail in any of their speculations, they can only ſuffer to the amount of their ſhares. If the millers fail in the ſame way, they may loſe their all. If the company enter upon ſpeculations, they do ſo without caring whether they gain or loſe: if the millers do it, they muſt venture with a view to profit, and the ſupport of their families. In ſhort, all competition will be clearly out of the caſe, and entirely done away. The ſcheme can only be viewed in two points. Say the millers, if it is a *gaining* concern to the company, it will inevitably ruin us: if it is a loſing concern to the company, they ruin us and themſelves alſo. Both ways it is equally dangerous. Beſides, it was taking one-eighth part of the conſumption out of the market; this eighth part muſt be ſenſibly felt by the millers; and upon what claſs of them, ſaid he, will it fall? Not upon the great millers, but the ſmaller ones. Thus, if the millers are inclined to monopolize, you leave all the power of doing ſo to the moſt opulent among them and the country; the ſmaller ones, who could prevent it, will be no more. He thought it wrong to truſt any collection of men with ſuch a monopoly as would drive the preſent dealers out of the market, and throw the whole of the moſt eſſential articles of the neceſſaries of life into the hands of one ſet of men, who would then have it in their power to grind and oppreſs the public, when, and to as great a degree, as they ſhould think proper. After requeſting pardon of the Houſe for detaining them ſo long, Mr. Percival concluded by giving his negative to the third reading.

Lord *Hawkeſbury* began by obſerving, that if an argument urged by an hon. Gentleman, (Mr. Tierney) againſt thoſe perſons voting on the preſent meaſure, who might have intereſt or ſhare in the propoſed eſtabliſhment, was of any weight, it would alſo preclude from voting landed Gentlemen, who purchaſed their land tax, and monied men, who had any ſhare of a loan; in a word, it would deprive moſt members in the Houſe of the right of voting on the moſt momentous queſtions. It had alſo been argued, that meaſures of general and public utility ſhould not take their riſe from any particular preſſure; if that were the caſe, the Houſe would have been precluded from bringing forward many of the wiſeſt and moſt uſeful meaſures that in their deliberative capacity they had ever adopted. If, then, they but now looked at the extreme diſtreſs which pervaded almoſt all the

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claſſes of the community, ariſing out of the preſent alarming ſcarcity, they moſt undoubtedly would ſee ample ground for entertaining the queſtion now before them, and for endeavouring to deviſe a remedy for the evil which it was its object to redreſs. But it was not once only, but now for a ſecond time within a ſhort period, that we were expoſed to and ſuffered under this calamity. Indeed it was a melancholy fact, that the country did not produce a ſufficient quantity of corn for the conſumption of its inhabitants. When, on account of the badneſs of the ſeaſon, the country might therefore be frequently expoſed to a ſimilar diſtreſs, it was evident that the authors of the bill were not induced to bring it forward by the urgency of any particular calamity, but from an extended view of what might hereafter tend to produce its recurrence, or at leaſt of what might mitigate its ſeverity. It had often been ſaid (and he would not deny it) that there was no ſcarcity except what aroſe from the deficiency of our crops; yet it might alſo be true that a combination, or certain artificial means, were among the cauſes that aggravated the evil: ſomething of that kind now exiſted, and tended not a little to extend the evil. The noble Lord then went into an enumeration of the cauſes and means which contribute to diminiſh the conſumption of bread: in years of ſcarcity one-ſixth leſs was conſumed than in years of plenty, and many parts of the grain were brought into uſe which in plentiful years were not introduced into the food of man. The bill for preventing the uſe of new-made bread had alſo contributed much to diminiſh the conſumption. Upon the whole, it would therefore appear that the preſent diſtreſs was owing, at leaſt in part, to ſome artificial cauſes, and not merely to the ſcarcity, and to a greater quantity of fine flour being generally employed in proportion to the coarſer parts of the grain. It was hard, indeed, to change the habits of a people, and if you fail in the attempt, you only confirm the habit which you are anxious to eradicate. But the bills for regulating the aſſize of bread, or for regulating the practices of millers, which had unfortunately been thrown out, had a great tendency to wean the public from theſe habits. The tendency of the preſent meaſure was to eſtabliſh a company who would manufacture this mixed and inferior kind of bread, and from this eſtabliſhment he was convinced the public would reap great advantage by its keeping down the price of bread, without expoſing them to any diſadvantage—at leaſt to any ſuch diſadvantage as ſhould diſſuade the Houſe from making

making the experiment. There were now 150 mills in the vicinity of London; but 20 mills ſituated on the Thames would be better able to ſupply the London market than it is now ſupplied. Such a ſyſtem would moreover exceedingly diminiſh the expence attending carriage, the uſe of mechanical powers, and the commercial management of the concern, which in proportion, as it was large, was generally conducted on a comparative ſmaller expence—all theſe advantages would evidently reſult from the adoption of the preſent meaſure, and there would be no room left for combination. Here the noble Lord begged leave to obſerve that he meant no reflection upon the body of millers; he by no means imputed to them any thing like an illegal, immoral, and criminal combination. But though he would not ſay that a combination of that deſcription exiſted, yet it was clear that there exiſted ſomething that had the effect of it; he meant a ſort of underſtanding between the parties which precluded the advantages of a fair competition. This kind of underſtanding, though not criminal in the eye of the law, had, however, the effect of an illegal combination; and this was the evil which he was ſolicitous to ſee cured; and how could it be remedied but by ſecuring a free competition?—What, then, were the means of ſecuring ſuch a competition? In his opinion, it was not to be done entirely, either by corporations or individuals, but, perhaps, in ſome degree by both: but if left wholly to individuals, a combination to a certain extent was inevitable. By the ſyſtem now propoſed to be introduced, traders in different principles would be brought to rival each other, and the rivalſhip would prove a ſpur to competition. The diſtreſs of the preſent moment, he would again repeat it, might be much alleviated by the introduction of brown bread, though the uſe of it would be better enforced by example and encouragement, than by any poſitive law. The experiment of brown bread for the uſe of the metropolis, had not been fairly tried; but the eſtabliſhment now in contemplation would afford fairer and ampler means of making that experiment, and he thought it might be made with conſiderable advantage, without occaſioning any inconvenience or injury. As to the compariſon drawn between the eſtabliſhment of the mills now propoſed and the Albion mills, nothing could be more unjuſtifiable. The Albion mills were under no limitation or reſtraint, and the harm that might have ariſen from them as ſuch, could not be apprehended from the preſent meaſure, where the inſtitution was

to be duly limited and reſtrained. Upon the whole, the Albion mills had been productive of much advantage, and it was difficult to prove that any miſchief had ariſen from them. They had reduced the profits of the millers one half, and they did not command the prices of the market. There was therefore no ground for the charges brought againſt them by the petitions againſt the preſent bill. There was another example to encourage the experiment he wiſhed to be tried in the Union mills at Birmingham. Bread were there cheaper by 3d. than in the metropolis: the wheat flour was not dearer there than here. Was not this, therefore, an argument for trying a ſimilar experiment? he only wiſhed to try it here to a certain extent, by having a coarſer kind of bread manufactured at conſequently a lower price. It was for the Houſe to conſider the advantages that muſt be derived from the experiment; they were many; they would correct the evils that were aggravated by artificial cauſes. They would encreaſe the means of ſuſtenance by introducing into bread many parts of the grain not commonly uſed for the food of man. They would prevent combination and promote competition, and conſiderably lower the expences attending the different branches of the trade. It was evident, upon the whole, that the operation of the bill would be productive of much good, and of no harm, and as ſuch it ſhould have his ſupport, and he truſted that of the majority of the Houſe.

Mr. *Sheridan* replied to Lord Hawkeſbury; he commended the calmneſs and candour with which the noble Lord had treated the ſubject, and as he had had every poſſible opportunity of obtaining the beſt information reſpecting it, it was not unfair to preſume that the noble Lord had urged every argument that could poſſibly be advanced in favour of the queſtion: yet on no one point had he ſucceeded in anſwering the objections that were urged againſt it by a learned Gentleman (Mr. Percival). Indeed the ſpeech of that learned Gentleman was admirable, and his argument unanſwerable—an aſſertion which it was fair to make, as the noble Lord was wholly unable to anſwer them. It was a happy circumſtance that no feelings of party or faction had mingled themſelves with the preſent queſtion: it had been diſcuſſed without any reference to political opinions, and that indeed ſhould be its true character. But the noble Lord recommends the meaſure it propoſes by repreſenting it to be merely an experiment, from which much good is to ariſe and no poſſible harm. Upon what grounds this aſſertion was made, he was at a loſs

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to diſcover; it was an aſſertion, however, which he knew to be contradicted by a great body of forcible evidence, and by a large number of witneſſes, who formed a deſcription of men highly uſeful and reſpectable, and whoſe characters, even in the noble Lord's opinion, ſtood unimpeached. What did they ſtate? Why, that ſuch an experiment muſt not only produce miſchief, but that it would neceſſarily involve the ruin of their trade: nor was it only injurious to the public, but it muſt prove, alſo, highly detrimental to the intereſts of individuals; as ſuch, he was confident that no charter would be granted to ſanction it. But the noble Lord had advanced an aſſertion of ſtill greater importance. The country, he ſaid, does not produce ſufficient grain for the uſe of the inhabitants; yet he hints that the preſent alarming ſcarcity does not ſo much ariſe from the deficiency which he confeſſes, as from a kind of combination. The meaſure then which he ſo ſtrongly recommends does not ſtrike at the root of the evil; but he would have the Houſe only correct the aggravations that may attend it. In fact, there was no connexion between the propoſed remedy and the evil to be removed. The corn-merchants were the perſons principally injured, and this injury done them prevented a timely importation of corn, which would have prevented what was now ſo much and ſo unavailingly lamented. Had theſe mills been already built, that caſe would be no better; for there would not be more corn in the country. Where, then, was the remedy for the evil? The real evil was the interference of Government; and, unleſs the Houſe abſtained from any ſuch interference, and prevented Government from meddling in the purchaſe of corn, there would be reaſon to wiſh that every thing reſpecting corn ſhould be eraſed from the ſtatutes. This unfortunate war gave riſe to this meddling and tampering of Government with the article of corn, for, in order to diſtreſs the enemy, they endeavoured to get the whole of the corn of Europe into their own hands. But a timely and economical importation was neglected while Government were endeavouring to rival individuals and to thwart their ſpeculations. The conduct of Government towards corn-merchants in the year 1796, was a proof of what he aſſerted. By their exertions the price of bread and corn was then conſiderably reduced. They loſt by their exertions; they applied for an indemnity, which was promiſed them; but the pledge was violated, and the Houſe rejected their claims. This ſurely was no encouragement for that meritorious claſs of men to

make any new adventure to relieve a ſimilar diſtreſs. Upon the ſubject of ſcarcity, there was no good could ariſe from Committees of Enquiry. Indeed it were to be wiſhed that both the Legiſlature and the Government had their hands tied up upon this matter. There ſhould be ſome plain permanent law for regulating the importation of corn, and no intermeddling of Government in the buſineſs. Advanced as the ſeaſon now was, yet a law of that kind ſhould be immediately introduced. That alone could relieve the diſtreſs, and remove the calamities which we now deplore. The remedy now propoſed can have no ſuch effect. Thoſe mills cannot be built in leſs than two or three years: how then can they alleviate the preſent preſſure?

The noble Lord next dwelt upon the advantages to be derived from theſe mills; a reſpectable body of men had adduced the ſtrongeſt evidence againſt the probability of any ſuch advantages. No doubt the noble Lord's intentions are very good; but good intentions were not ſufficient to guide the proceedings of a legiſlature. Indeed all the miſchiefs that grew out of politics, aroſe from ſuch good intentions, as they generally ſprung from ſome ſyſtem that was imagined to be perfect. There was nothing therefore ſo dangerous and bad as theſe good intentions. He would alſo acquit gentlemen, who were the warm partizans of this meaſure, from any intereſted views; but ſtill he would preſs his motion, that it was not proper to vote on a buſineſs from which any of them were to derive a high profit. The noble Lord allows, that there exiſts no immoral, illegal combination; but he chooſes to call it a ſort of underſtanding between the parties. The former charge could not be made without proofs to ſubſtantiate it; but it is left to lurk in an inſinuation. This was certainly a deviation from that candour which prevailed throughout the other parts of the noble Lord's ſpeech, and had a tendency to bring down the whole of the popular diſcontent and indignation on the heads of the bakers and millers. But the great object of the bill ſeems, after all, to be not ſo much to prevent combination, as to introduce to the palate of the people a ſpecies of bread, which, from prejudice or ſome other motive, they are known to diſlike. This brown bread has not had a fair trial; but thoſe new mills are to prepare it on a better plan, and then the poor of the metropolis will eat it. This idea was very objectionable; it was in vain to attempt to force the people to eat this brown bread. They will only eat it, becauſe you deprive them of

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any other market. But it was in vain to talk of force in ſuch a matter; it was well known that the prejudice of the working people of the metropolis againſt ſuch bread was invincible and unconquerable; it was uſeleſs to inveſtigate the phyſical reaſons of ſuch a prejudice; but the fact was, that it could not be ſubdued. If ſuch attempts are made to introduce ſubſtitutes for bread, the people will be forced to have recourſe to new ſubſtitutes or labour, in idleneſs, theft, plunder, and rapine. In vain would you convert theſe enormous mills into a coloſſal machine, or a gigantic mountebank, to cram this nauſeating bread down their throats; this would be adding inſult to oppreſſion; and he truſted the Houſe would maturely weigh the conſequences of the meaſure before they gave it their final ſanction, eſpecially if they found that no reaſons had been adduced to prove its neceſſity, while the ſtrongeſt evidence had been brought forward to ſhew its diſadvantages. No market in the world was more punctually and plentifully ſupplied than the London market; and this was done under the preſent ſyſtem by the preſent millers. The real cauſe of the evil was the deficiency of grain, and this would be had in plenty if the corn merchants were fairly and liberally dealt by, and a permanent law introduced to regulate importation, unchecked and uncontrouled by Government. This was the only radical remedy, and it ſhould have his determined ſupport whenever it was propoſed. To the experiment which the noble Lord was anxious to introduce, he was a decided enemy.

Lord *Hawkeſbury* in explanation ſaid, that it never was his intention that any thing like force ſhould be made uſe of to introduce the uſe of brown bread.

Mr. *Sheridan* and the *Maſter of the Rolls* ſeverally explained.

Sir *W. Pulteney* contended that the argument upon which the noble Lord ſupported the bill, were wholly without foundation. There exiſted a ſufficient competition in the corn trade, and the means of keeping that competition alive. As to all the idea of private underſtanding, and a ſort of combination growing out of it, nothing was leſs credible: no ſuch combination could be permanent or general. As to the uſe of brown bread, the preſent meaſure would have no effect in introducing it. Had the bakers the ſame profit on it as on the finer kind of bread, they would make it more generally—here an alteration might be made without danger; the other experiment was extremely dangerous. Beſides, the corporation

that was objected to, why deprive themſelves of the means of correcting their intemperance on a future day.

Mr. *Snape Bernard* ſaid, that though an enemy to the principle of the Bill, which he thought, both in its own proviſions and in its example, was moſt objectionable, yet the motion at ſo late a period of the ſeſſion was not the right way to oppoſe it. It had ſtill the other Houſe to paſs through; and before it could come back from thence the period of the ſeſſion might be arrived. His objection to the Bill was, that it put an end to all open competition in flour and bread, and put theſe two trades into commiſſion. Parliament appointed a ſet of Commiſſioners to deal out flour and bread to the people. The principle entrenched on all open commerce.

After ſome further debate, the Houſe again divided, and the clauſe was rejected.

It was then moved, that the ſubſcribers ſhould only divide 5 per cent. inſtead of 10 per cent. on their ſhares.

A diviſion took place on this alſo, and the motion was rejected.

Mr. *Sheridan* then called the attention of the Houſe to a matter that materially concerned their honour, and the purity of their proceedings. The principle of the Bill, that is, the queſtion of the third reading, had paſſed by a majority of *four* only; and it ſeemed though perſons were intereſted in the Bill, yet as it was of a mixed nature, partly public, partly private, they might be allowed to vote: but where the queſtion was ſolely a matter of profit as this was, he muſt call on Mr. Speaker to ſay, whether the voices of perſons who were proprietors in the new charter could be allowed. It was underſtood there were a number of Members in that Houſe who ſtood in that predicament.

Mr. *Speaker* ſaid, that he underſtood it to be the rule which had governed the Houſe in the caſe of the loyalty loan, that where a bill was partly of a public nature, and partly of benefit to themſelves, they might vote on the principle; but whenever the incidental point aroſe, in which their own intereſt lay, they could not, without indecorum, vote, nor would their voices, if queſtioned be allowed. It was a delicate queſtion; and he lamented that there was not a precedent by which the Houſe, in this inſtance, could be guided. The inclination of his mind was, that this was a point which came within the rule.

Mr. *Sheridan* then moved, That the voice of Mr. William Devaynes be diſallowed.

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Mr. *Devaynes* was called on to ſay whether he was perſonally intereſted in the bill. He ſaid his name ſtood as a ſubſcriber, but he had not yet paid any money. He certainly, however, intended to ſubſcribe.

He was then directed to withdraw. A long and moſt curious debate took place on the nature of the caſes that did and did not entitle Members to vote where they had a perſonal intereſt. Mr. *Roſe*, Lord *Hawkeſbury*, Mr. *Hawkins Browne*, and others, contended that this was not a queſtion, which, even in decorum, obliged them to withhold their votes. The Speaker was called up ſeveral times, and gave it clearly as his opinion, that it was a caſe which would govern his mind if he had to vote, and that it muſt be left to the deciſion of the Houſe whether the votes ſhould be allowed.

Mr. *Tierney* ſaid the queſtion was, ſimply, whether a Member was intereſted in a vote by which he was to give himſelf 10 per cent. inſtead of 5, on a ſhare which was transferable, and by which vote the ſhare was to be increaſed in value, and might be ſold the next day for more money. It was not here the minuteneſs of the intereſt, but the principle which made the queſtion. The queſtion was, whether a number of Members of Parliament ſhould grant to themſelves, out of the courſe which the Conſtitution had pointed out as the beſt means for ſecuring the public againſt jobs, a charter which was to have an eventful benefit to themſelves? On ſuch a queſtion to ſay, that their voting for 10 inſtead of 5 per cent. was not the indecorum which the rule of the Houſe had guarded againſt, was to compromiſe the character and the dignity of Parliament.

Mr. *Perceval* was clearly of opinion that the whole bill was a private commercial matter, violating indeed all former commercial principles; and there was nothing public in it but impoſſibility. The private intereſt was the firſt obvious view of the Member when he voted for 10 per cent. inſtead of 5, and therefore his vote ought to be diſallowed.

Mr. *Speaker* expreſſed his ideas to be the ſame on the ſubject.

After ſome further debate, the queſtion was called, and the voice of Mr. Devaynes was diſallowed.

Mr. *Tierney* then moved, That the voice of Sir John Call be diſallowed.

Sir John owned himſelf to be a proprietor, and having retired, his vote was ſtruck out from the diviſion.

Mr. *Tierney* then moved, That the voice of Mr. John Frere be diſallowed.

Mr. Frere withdrew, and his voice was diſallowed.

The next name objected to was that of Sir Robert Preſton. Sir Robert had gone away as ſoon as this diſcuſſion of eligibility commenced.

Mr. *Speaker* ſaid they could not decide on the queſtion without hearing what he had to ſay: a long diſcuſſion took place on what courſe they ſhould follow. Could they proceed to paſs a bill upon which a perſon had voted who was diſqualified by his intereſt in the caſe? It was finally got rid of by moving that he ſhould attend in his place on Monday, which was agreed to.

Lord *Hawkeſbury* then moved, That the bill do paſs.

Dr. *Lawrence* objected to the motion. It would be a moſt indecent, and a moſt unparliamentary proceeding. Three voices were already diſallowed. Another ſtood impeached. The queſtion of the third reading had been carried only by *four*, and theſe Gentlemen formed part of the diviſion. He had very ſerious doubts in his own mind on the propriety of their voting on the principle. It was a private bill, not a public meaſure. The public benefit was profeſſed indeed, but that was highly problematical. The whole conduct of the promoters of the bill was moſt extraordinary. There had been a compromiſe by which the Houſe was defrauded of its forms. They had followed the French practice of paſſing the bill *upon urgency*; and it was in vain for them to ſtrive to raiſe a diſtinction between the right of not voting on a clauſe, and yet maintain the right of voting on the principle. Theſe four perſons had no right to vote for granting to themſelves ten per cent. inſtead of five, and yet they were entitled to vote for the third reading of the bill granting to themſelves this very ten per cent. This was not for the honour of Parliament; nor for the reſpect which the people ought to have for their proceedings.

Mr. *Sheridan* ſaid, that it was perfectly underſtood that ſeveral other Members were proprietors of this charter, and they muſt feel conſcious that they then ſtood within the ſcope of the diſallowance. Their names would ſoon be known; and he hoped therefore that they would now frankly come forward, and avow it. The meaſure was really of a moſt queſtionable ſhape. They had reſiſted every thing which tended to take off its ſuſpicious character. If they wanted to

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make an experiment, he was authoriſed by Gentlemen who then heard him to ſay, that they ſhould have water corn-mills capable of grinding 300 ſacks of flour per week, all ſituated near London. If they meant the public good only, why not accept of an offer that would enable them to commence immediately, inſtead of putting off the intended good for a year and an half, or two years?

Mr. *Roſe* ſaid, he ſuppoſed he was one of the perſons to whom the hon. Gentleman alluded. His name undoubtedly ſtood in the liſt of intended proprietors; but two hours ago, as ſoon as the diſcuſſion of ineligibility began, he had decided to withdraw his name, and he referred to thoſe around him whether he had not ſaid ſo.

Mr. *Roſe*, jun. bore teſtimony to the fact; and ſaid that his name ſtood alſo in the liſt; but he had reſolved to withdraw it.

Mr. *Plumer* deſired to know whether the name of Mr. Biddolph did not ſtand in the bill as one of the perſons to whom the charter was to be granted? Now he alſo had voted: but to qualify himſelf to vote he had declared that he would reſign his ſhare. Muſt not his name be withdrawn from the bill?

Mr. *Speaker* ſaid, his name could not be withdrawn as they had paſſed that part of the proceeding.

Mr. *Sheridan* ſaid, that in that caſe they were to ſend the bill to the Houſe of Lords with a known fallacy in it. In truth, the whole proceeding was ſo irregular and ſo unbecoming, that he truſted the Houſe would yet pauſe. And for that purpoſe he moved to adjourn. The Houſe divided.

Ayes - 7 | *Noes* - 35

The motion was then put, That the bill do paſs, which was agreed to, and Lord Hawkeſbury was named to carry it up to the Houſe of Lords.

HOUSE OF LORDS.

MONDAY, JUYL 7.

The bills on the table were forwarded in their ſtages.—Adjourned.

HOUSE OF COMMONS.

MONDAY, JULY 7.

At four o'clock the *Speaker* counted the Houſe, but there being only thirty-ſeven Members preſent, they of courſe adjourned till the next day.

HOUSE OF LORDS.

TUESDAY, JULY 8.

The London Flour Company Bill was read a first, and ordered to be read a second time on Thursday.

Several petitions were presented against the Bill, and ordered to lie on the table.

A few bills were received from the Commons, and those on the table were forwarded in their respective stages.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, JULY 8.

A new writ was ordered for the Borough of Whitchurch, in the room of the hon. T. Townsend, called up to the House of Peers, on the decease of his father Lord Sydney.

The House of Commons Office Regulation Bill was read a third time, and passed.

Mr. *Long* presented several public accounts, which were ordered to lie on the table.

The report of the Committee on Inclosures was received, and referred to the consideration of a Committee of the whole House, to sit the next day.

The amendments made by the Lords in the Bill for the regulation of Pawnbrokers being taken into consideration, the Speaker observed, that they were of a description to which the House could not assent, as they went to alter the penalties imposed by the bill; he therefore suggested, that the further consideration of them should be postponed to that day two months, and that, in the mean time, a new bill might be brought in.

On the motion of Mr. *Bragg*, the bill was accordingly deferred, and leave given for the introduction of a new one.

A message from the Lords stated their assent to the Militia Officers Allowance Bill, and the West India Governor's Indemnity Bill; and requested to be furnished with a copy of the report of the Committee on Inclosures; and also a copy of the evidence laid before the House relative to the London Flour Company Bill.

The messengers were called in, and copies delivered to them of the papers desired by their Lordships.

The Bill for settling disputes between Cotton Manufacturers and their Workmen, was read a third time and passed.

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The Naval and Military Stores Embezzlement Bill went through a Committee, and was ordered to be reported the next day.

The report of the India Judicature Bill was received, and the bill was ordered to be read a third time.

Mr. *Tierney* wiſhed to know whether there was any probability of Miniſters being able to lay the accounts relative to foreign ſubſidies before the Houſe at an early day. If there was not, it was his intention to bring forward his reſolutions on the ſubject of finance on Tueſday next.

The *Chancellor of the Exchequer* ſaid, that he expected to be able to preſent the deſired accounts on Friday, or, at fartheſt, on Monday next.

On the report of a Committee, a Bill was ordered to be brought in for eſtabliſhing a Police Office, for more effectually preventing the depredations committed on the River Thames.

EVACUATION OF EGYPT.

Mr. *Jones* roſe to make his promiſed motion with reſpect to the inſtructions ſent to Admiral Lord Keith, relative to the treaty for the evacuation of Egypt. Though, in what he ſhould have to ſay, the names of illuſtrious naval commanders muſt neceſſarily occur, it was the fartheſt from his intention to mention them in terms which ſhould in the leaſt diſparage their juſtly merited reputations. No man more than himſelf admired the ſkill, valour, and activity diſplayed by Lord Keith, both at the Cape of Good Hope, and in the various operations in which he was engaged before the ſurrender of Genoa; and this was not the firſt time that he had within thoſe walls panegyrized the unparalleled proweſs and diſcriminating judgment of the gallant Knight who ſerved on the coaſts of Egypt. He regarded the convention which Sir Sydney Smith has entered into with the French General for the evacuation of that country as a piece of diplomacy which gave an additional proof of his poſſeſſing a vaſt and diſcerning mind. He wiſely judged, that it was for the intereſt of his country that the French forces ſhould be removed from Egypt with the leaſt poſſible delay; for he knew, that while they continued there our poſſeſſions in India could never be thought in a ſtate of permanent ſecurity. Thus judging of the treaty for evacuating Egypt, it was not without ſurprize and aſtoniſhment that he ſaw in the public prints, a letter from Lord Keith, declaring that he ſhould not adhere to that treaty; that letter might, for aught he knew, be a forgery; there

there undoubtedly was a confuſion of dates, which might in ſome ſmall degree countenance ſuch a ſuſpicion; but to remove all doubts on the ſubject, was the intention which he had in moving for the papers which he now required.

[Mr. Jones read the letter of Lord Keith, and General Kleber's proclamation, as tranſlated from the French papers.]

This letter the French General uſed as a means of animating his ſoldiers to renew the conteſt; and the conſequence was, that 8000 of our allies were deſtroyed, and their whole army diſperſed; the French would probably retain poſſeſſion of Egypt, and India was, therefore, in extreme danger. Theſe were the circumſtances which urged him to bring the buſineſs before the Houſe, in addition to his anxiety that the faith of England ſhould not be turned into punic faith, and that no ground might be given to ſuch reproaches as were ſtated to have been made in this reſpect by the late General Deſſaix. He knew that an enquiry had been denied with reſpect to the affair of Quiberon, and ſeveral other points of no leſs importance; but whatever ſhould be the fate of his motion, he hoped that, in the opinion of the Houſe, his motives would be a ſufficient juſtification of his own conduct. He then moved, that an addreſs ſhould be preſented to his Majeſty, praying that he would be graciouſly pleaſed to lay before the Houſe a copy of the inſtructions ſent to the commander of his Majeſty's fleet in the Mediterranean relative to the evacuation of Egypt by the French army.

Mr. *Dundas* ſaid, that he ſhould not have occaſion to occupy much of the time of the Houſe in correcting the miſtake into which the hon. Gentleman who had juſt ſat down had fallen, with reſpect to the ſubject of his motion. In giving notice of the motion, he ſeemed to proceed on the ſuppoſition that an infringement had taken place in a convention actually entered into for the evacuation of Egypt, between this country, the Ottoman Porte, and the Commander of the French Army. But the fact was, that no ſuch convention had been concluded, and therefore no infraction of it could be charged to this country. So far, indeed, were the Britiſh Government from committing an act of ſuch perfidy, as they muſt have committed were this ſuppoſition founded in truth, that they had ſhewn what he muſt call a ſuperabundance of attention to the execution of a treaty to which they were not a party; and their ſubſequent ſanction of which was to be attributed ſolely to anxious jealouſy of avoiding

ing every thing that could, by the moſt forced interpretation, throw any ſtigma on the ſincerity of Britiſh faith. The expedition to Egypt was juſtly repreſented by the hon. Gentleman as a ſubject of ſerious alarm to this country. It might have led, and ſuch appeared to be one of its objects, to the overthrow of the Ottoman Empire, and it might have hazarded the ſafety of the moſt valuable of our foreign dominions. In this light was it viewed by the Government of this country; and the beſt proof of their having ſo regarded it was the alertneſs with which they exerted themſelves to render abortive that vaſt undertaking. This object was happily accompliſhed by the valour and ſkill of Lord Nelſon; for every one muſt admit, that his victory gave a fatal blow to the French armament. Cut off from all means of receiving ſupplies or reinforcements, the army of Egypt was reduced to a ſituation of the utmoſt diſtreſs. Under theſe circumſtances, it was undoubtedly deſirable that they ſhould not effect their eſcape home, at a moment when, partly from the effects of the climate, and partly from hoſtile operation, their condition appeared to be irretrievable. Neither was it for the intereſt of the Porte that they ſhould thus eſcape, conſidering the unprovoked aggreſſion which they had made upon her territories, in violation of every principle of the law of nations, and in contempt of exiſting treaties between France and that country. With theſe ſentiments, therefore, the moment Government received intelligence that a treaty was negociating between the French and Ottoman Generals, they diſpatched inſtructions to the Britiſh commander, containing the only terms on which he was authorized to accede to it. They conſidered that, to allow the French to remove with all the veſſels lying in the port of Alexandria, and to go whitherſoever they pleaſed, were terms to which neither their conduct nor their ſituation at the time entitled them. The Ottoman Porte probably wiſhed to get rid of them on any terms. But the Britiſh Government had to take a more extenſive view of the meaſure. They had to conſider what became us not only as the Ally of the Ottoman Porte, but as the Ally of all the other powers engaged in the ſame conteſt, who had a ſtrong collateral intereſt in the terms of the treaty. It was their intereſt, as well as our's, that the French army ſhould not be landed on the ſhores of Europe as a hoſtile army; and he would repeat, that it was not for the advantage of the Porte herſelf, that they ſhould embark without any reſtraint as to their ſubſequent conduct. The invaſion of Egypt had been a favourite

a favourite object with the French for nearly a century past; and it was for the interest of the Turkish Empire that they should not consider the conquest of that country as an object which they might at any time undertake with ease, trusting to the weakness of that Empire, for ultimately effecting their purpose, or if unsuccessful in the attempt, for the power of relinquishing it upon whatever terms they themselves chose to prescribe. It was undoubtedly the interest of that nation, as well as of Great Britain, that the French should not continue in Egypt, and under this impression, the Government transmitted to Lord Keith the terms on which they would consent to its evacuation and it was to be supposed that his Lordship would have communicated them to the French and Ottoman Generals. They were written, however, at a time when no convention had been entered into, and when it was imagined they could have arrived before any should have been concluded. It was foreign to the question now before the House to examine who was to blame, as to the immediate resumption of hostilities. It appeared that the Ottoman General wished to prolong the armistice, until the consent of this country should have been obtained to the treaty he had entered into. To this the French General objected, and six hours after he commenced an attack on the Ottoman army. But however this question was to be decided, it was one in which the character of the British Government was not implicated. If, as was alledged by General Kleber, the Turkish army was impatient to obtain possession of Cairo, and he found himself obliged to repel the attempt by force, it was an affair with which we had nothing to do; and still less was our honour involved, if, as alledged on the other side, it was true that the French General had made a sudden attack, at the moment when a negociation was carrying on. He wished that the French army should surrender themselves prisoners of war; and they should not have the benefit of a treaty which, if a favourable moment occurred, they might break with as little scruple as they had broken the agreement entered into with respect to the seamen taken at Aboukir. These seamen, it was solemnly stipulated, were not to serve against England or her Allies, until regularly exchanged; but they were no sooner landed than they were incorporated with the French army, and employed in extending their conquests in Egypt. It was our duty to prevent the repetition of so shameful a breach of faith, and to take care that our Ally should not fall into a similar snare. The hon. Gentleman,

to the diſaſters which had befallen our Army, he would certainly admit that a great ſlaughter had been made among the Ottoman troops; but he had good reaſon to believe that the enemy has ſuſtained a proportionate loſs. The fact, indeed, according to very recent intelligence was, the enemy had ſuffered to ſuch an extent, as to induce their General to propoſe the renewal of the treaty—ſo far as the conduct of Sir Sidney Smith was concerned, he would ſay that he conceived he acted from the pureſt and beſt of motives, for the good of his country; but he muſt alſo ſay, that he had not the ſmalleſt authority for entering into any communications with the French General; ſo that, even were the Government to refuſe their ſanction to a treaty ſo concluded, they would be ſtrictly juſtified by the law of nations. The Government, however, adopted a different line of conduct. The moment it appeared that a Britiſh officer had a ſhare in it, though unauthorized, and though the treaty was contrary to the intereſts of this country, and the French had partly carried it into execution, that moment they gave orders to acquieſce in it, and it was highly probable that, by this time, the very treaty which they had diſapproved of, was in a train of being executed, from a punctilious attention, that no treaty in which a Britiſh officer was concerned, ſhould ſuffer any infringement. From what he had now ſaid, the hon. Gentlemen muſt ſee, that the production of the inſtructions which he had moved for, without a variety of other papers, would not afford any farther information than the Houſe were already in poſſeſſion of; and to produce, at the preſent moment, all theſe papers, conſiſting of communications with different officers, and our Ambaſſadors at the Porte and the Auſtrian Court, and involving intereſts of an important and complicated nature, would be attended with the moſt miſchievous conſequences.

Mr. *Robſon* ſaid, that Miniſters had now juſtified the infringement of the treaty: he expected, on the contrary, that as uſual they would have laid the blame on the wind and weather, and alledged that the inſtructions had fallen into the hands of the French General during the abſence of Sir Sidney Smith, who might probably have been driven off the coaſt of Egypt. This conduct, and the language in which they juſtified it, went to repreſent Sir S. Smith, as a Britiſh officer, placed on that coaſt for the purpoſe of making treaties of a deſcription which they might break or confirm as they pleaſed. The treaty which had been entered into with the French

General in Egypt, was obſerved in the ſame manner as the treaty for the ſurrender of Fort Urbino, which the King of Naples inſtantly violated, by maſſacring a number of perſons, who were to go unmaſked, according to the treaty.

Mr. *Nicholl* obſerved, that we now knew the facts of the caſe. His Majeſty's miniſters, in contemplation that a treaty might be concluded between the Turks and French, ſent out orders to their admirals not to obſerve that treaty. This practice, he contended, was not conſonant to the law of nations; and he put the caſe, if during the American war Lord Cornwallis's army had ſurrendered to the Americans alone, under ſtipulation that they ſhould be allowed to return to Europe, and in this return had been interrupted by the French, would not that conduct have been a violation of the law of nations on the part of France, their allies, and yet that was exactly the preſent caſe. But even admitting that it was no breach of the law of nations, and looking only at the policy of the meaſure, what had been the conſequence? The Turks had not recovered Egypt, and it was probable would not during the war. True it was, the original orders were countermanded, but that countermand went too late.

Mr. *Wilberforce* ſaid, the account of his hon. Friend (Mr. Dundas) was completely ſatisfactory; but whether the orders were wiſe or not, was a queſtion which the Houſe could not decide upon, without having a great variety of papers and a maſs of information, which could not with propriety be diſcuſſed in that Houſe. What he meant to ſay was this, that the ground upon which the motion was made had failed, and it moſt clearly appeared, that as ſoon as ever they were appriſed that one of our officers had ſanctioned a treaty, although he had exceeded his powers, yet ſacrificing any intereſt they might derive from the breach of that treaty, they had magnanimouſly reſolved not to take advantage of it. He hoped that the hon. Gentleman would not perſiſt in his motion after the explanation of the hon. Secretary.

Mr. *Yorke* ſaid, that an hon. Gentleman over the way (Mr. Robſon) had argued as if Government had ſent the inſtructions ſubſequently to their knowledge that Sir Sidney Smith had entered into the treaty. To diſprove this ſuppoſition, nothing more was wanting than a compariſon of dates. Lord Keith's letter was dated on the 8th of January, and the treaty was not concluded until the 28th of the ſame month. He believed Sir Sydney conceived that he was promoting the intereſts of his country by acceding to the treaty;

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but he wiſhed gentlemen to conſider the miſchiefs that follow from laying down the principle, that Government was to be bound by a treaty entered into by an inferior officer, without the ſmalleſt authority from them or his ſuperior officer. He would merely ſuggeſt, that a ſtrict examination ſhould take place in ſuch a caſe, as to the conduct of an officer ſo acting, otherwiſe it was impoſſible the public ſervice could go on.

Mr. *Hobhouſe* ſaid, that the motion was not founded upon an accuſation againſt Government of a breach of treaty, but the queſtion was one of prudence, and demanded an explanation. He confeſſed that the explanation given was ſatisfactory to him as far as it went, but there appeared a link wanting in the chain. He wiſhed to know why ſuch inſtructions had been ſent to Lord Keith, and whether any of another tendency had been previouſly ſent, to make it neceſſary to ſend others after them to contradict them. At preſent he thought his hon. Friend would do well to withdraw his motion.

Sir W. *Pulteney* ſaid, it was clear that there had been no breach of treaty. It was merely a queſtion of prudence, and he wiſhed for more explanation before it could ſatisfy his mind of the propriety of ſuch conduct. Was it uſual among allies, when the one ſuſpected the other would enter into treaty, not to remonſtrate with that ally itſelf, but to ſend notice to the enemy that you would not accede to any treaty made by your ally? To him it ſeemed the natural way would have been to have remonſtrated with the Turks, and not communicated with the French.

The *Chancellor of the Exchequer* ſaid, that the hon. Baronet had taken for granted a ſuppoſition, of which the very reverſe was the truth; for on the very day on which inſtructions were ſent to Lord Keith, a communication of a ſimilar import was made to Lord Elgin, his Majeſty's Ambaſſador at Conſtantinople. The direct communication of theſe inſtructions to the enemy was a proof of a punctilious delicacy of adherence to good faith on the part of the Britiſh Government; and ſhewed, that though we had a right to refuſe our aſſent to the treaty which was then ſuppoſed to be merely in the courſe of negociation, that we had determined to give the French General due warning of the line we meant to purſue. But no ſooner was it known that a treaty had actually been concluded, than it was determined to accede to it. After the explanation which had already taken place, it

would be a waſte of time to enter more at large into the ſubject. There were only two grounds on which it could be argued; 1ſt, That of good faith, on which it was now admitted that no reaſon of reproach exiſted; and 2dly, That of policy. As to this point, every one muſt ſee, that no deciſion could be formed upon it, without documents, which, in the preſent ſtate of affairs, could not be made public without the utmoſt danger. But as far as general grounds of notoriety were a fit ſubject to decide upon, it muſt be admitted, that, all the circumſtances of the period when the treaty took place being conſidered, there was no part of the theatre of war where France could act with leſs danger to the general cauſe, than in Egypt. It was unneceſſary now to diſcuſs how far the Government was bound by the conduct of the officer who had concluded the treaty; becauſe it was admitted that Government acquieſced in it the moment they heard of its being concluded with his approbation. But he muſt ſay, that it would be very dangerous to carry the principle ſo far as to ſay that a Government ſhould be bound to adhere to a Convention which might be entered into from ſiniſter motives on the part of an inferior officer. Fortunately no ſuch ſuſpicion exiſted on the preſent occaſion. He differed in point of judgment from the officer who had concluded the treaty; but ſuch was his reſpect for his abilities, that on regarding them, and conſidering that he had a fuller opportunity of examining all the circumſtances which were neceſſary to a prudent deciſion, he began to entertain doubts of his own judgment. As to his motives, no doubt could be entertained. Nothing but the pureſt motives could actuate the conduct of an officer of ſo exalted a reputation, and one who had ever ſhewn himſelf an animated champion of his country's glory.

Mr. *Jones* ſaid, that the buſineſs ought to be probed to the bottom; and with this view he would take an early opportunity of moving for the whole of the papers relative to it. But in conſequence of the recommendation of his hon. Friend (Mr. Hobhouſe) and what had fallen from gentlemen on the other ſide, he would now move for leave to withdraw his preſent motion.

Mr. *Tierney* begged leave to ſtate, that he was not ſatisfied with the explanations which had been given; but he would reſerve the expreſſion of his ſentiments until his hon. Friend ſhould bring forward the motion of which he now had given notice. The motion was then withdrawn.

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The Combination Bill was read a second time, and referred to a Select Committee.

Mr. *Bragge* brought in a bill for better regulating the business of Pawnbroking; which was read a first, and ordered to be read a second time the next day.

Mr. *Rose* obtained leave to bring in a bill to indemnify all persons who had printed or published, without their names, papers under the authority of any public board.

On the question for the third reading of the Executory Devises Bill, a long conversation took place between Mr. Burton, the Master of the Rolls, Mr. Pierpoint, Colonel Elford, and Sir F. B. Jones; after which the third reading was postponed to Monday next.

On the motion for the third reading of the New Forest Bill, counsel were called in, and heard against it. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 9.

The Royal Assent was given, by commission, to 35 public and private bills; among the former were—the Vellum and Parchment Duty Bill—the Scots Distilleries Duty—the Land Tax Commissioners—the Perfumery Duties Repeal—the Waste Paper—the Militia Subalterns Allowance—West India Governors Indemnity—the Army Bread Supply—the Bread Assize—the London Small Debts—and the Collieries Regulation Bills. The Lords Commissioners, on this occasion, were the Lord Chancellor, the Duke of Roxburgh, and the Marquis of Salisbury. The various bills before the House were forwarded in their respective stages. The Monastic Institutions Bill was ordered to be read a second time the next day, and their Lordships to be summoned thereupon.

Mr. *Yorke* brought up the House of Commons Officers Salaries Bill, from that House, which was read a first time.

The *Duke of Bedford* moved that there be laid before the House a list of the subscribers towards the establishment of a company for the manufacture of meal, flour, and bread, specifying their names, &c. and the sums subscribed by each individual.—Ordered. His Grace also moved for the production of sundry other accounts and documents relative to the bill now before the House for the establishment of a company for the manufacture of flour, bread, &c. all which were ordered to be laid before the House.

BILLS OF INCLOSURE.

The *Duke of Bedford* called the attention of the Houſe to the reſolutions on the ſubject of the Bills of Incloſure, which had been ſent up by the Houſe of Commons, and had been under their Lordſhips conſideration the preceding Thurſday. As the report of the Select Committee of the Houſe of Commons was not yet on the table, if, on that ground, any noble Lord choſe to oppoſe the amendments, which, after the full-eſt conſideration of the ſuggeſtions of the noble and learned Lord on the woolſack, he intended to ſubmit to the Houſe, it would not be in his power to preſs the Houſe to any deciſion that ſeſſion, but as his amendments would be ſuch, as he thought could not challenge objection, he would proceed to propoſe them. In the firſt reſolution there had eſcaped an obvious inaccuracy, as the noble and learned Lord had pointed it out, inſtead therefore of ſaying, "That in order to promote the cultivation and improvement of the waſte, unincloſed, and unproductive lands, commons, common arable fields, meadows, and *Common of Paſture* in this kingdom; &c." he ſhould propoſe to amend it by changing the words "Common of Paſture" to "Common Meadows," which he believed would be a proper deſcription, and ſufficiently cure the inaccuracy. With regard to the ſecond reſolution, and the admiſſion of authenticated affidavits, as ſufficient evidence of the notices, conſents, and allegations in the preamble of bills of encloſure, inſtead of parole evidence, unleſs where abſolutely neceſſary, if noble Lords would turn their eyes to the ninth page of the Report of the Committee of the Houſe of Commons, they would there ſee, that the Committee ſuggeſt, that in order to prevent impoſition and fraud in ſuch affidavits, the affidavits might be ſubjected to the penalties of perjury. Something of that ſort, he conceived, might be done, and therefore as any bill hereafter brought into Parliament upon the reſolutions, would be at beſt but a bill of experiment, he thought the regulation in this caſe might be ſafely truſted to the two Houſes in framing of ſuch bill, for which reaſon he ſhould not propoſe any alteration in that reſolution. In reſpect to what the noble and learned Lord had ſaid reſpecting the little efficacy of a general law, as to the probability of ſhortening future private Bills of Incloſure, the caſe might have been ſo in the matter of Highways Bills, but even upon them he found in ſeveral private highway acts material references made to the general highway act, which muſt neceſſarily

ceſſarily have occaſioned the ſhortening of ſuch private bills, and of courſe diminiſhed the expence. He ſhould move to let the third reſolution ſtand as it was expreſſed. In the fourth reſolution alſo, he ſhould not propoſe any amendment, as he truſted, when a bill came to be under conſideration, ſome practicable mode might be deviſed of taxing the charges of ſolicitors of Incloſure Bills, regulating the conduct of commiſſioners, and preventing unneceſſary delay in carrying ſuch bills into effect. To make the meaning of the laſt reſolution more preciſe and definite, he would move to amend it by the inſertion of the word "ſole," which would limit the charge of bills for ſmall incloſures as to payment of fees, to ſuch bills only as contained no other object but a ſmall incloſure. Having thus adverted to all the reſolutions, and ſtated his propoſed amendments, the Duke moved each reſolution with its amendments ſingly, and the queſtion having been put on each, they were ſeverally agreed to. The Duke then prepared a meſſage to be ſent to the Houſe of Commons with the amended reſolutions. Agreed to.

Lord *Holland* roſe to move, that there be laid before the Houſe a copy of the inſtructions ſent to the commander in chief of his Majeſty's ſhips of war in the Mediterranean, reſpecting the evacuation of Egypt by the French army. He ſaid that he was very far from imputing any blame to the noble Lord who commanded the naval force of this country in the Mediterranean, for the conſequences of the meaſure he had been inſtructed to purſue. Certainly it was a ſubject of much regret that a line of conduct had been adopted by Miniſters which had been attended by a calamitous defeat to our allies in Egypt, and by which the French were left in poſſeſſion of that country, which they had been on the point of evacuating. He was aware that the tranſaction to which he alluded was not a breach of the convention concluded between the Turks and General Kleber, under the auſpices of Sir Sidney Smith, becauſe the notification by Lord Keith was prior to the concluſion of that convention. Nevertheleſs it was a matter of the utmoſt importance to aſcertain upon what grounds of information, or what views of policy Miniſters had reſolved to pay no regard to any tranſaction of this nature which might take place. Sir Sidney Smith, upon the ſpot, with a perfect knowledge of the reſpective ſituations of the two armies, judged the evacuation of Egypt, upon a convention, to be an event highly advantageous to us and to our allies. Upon what information then was it that

Miniſters

Miniſters had come to the determination of oppoſing the execution of any convention? Undoubtedly, ſhould the bleſſings of peace be again reſtored to this country, and ſhould the enemy by that treaty remain in poſſeſſion of Egypt, it could be aſcribed to nothing but the precipitate reſolution of Miniſters not to permit the French to withdraw from Egypt as they intended. At all events, in order to clear up a point of importance to the intereſts and to the character of this country, he conſidered it neceſſary to move, "That the inſtructions to Lord Keith reſpecting this ſubject ſhould be laid before the Houſe." He concluded with moving an addreſs to his Majeſty to that effect.

Lord *Grenville* ſaid it was evident, as the noble Lord had acquitted Miniſters of all breach of faith reſpecting the convention concluded in Egypt, that the views of this ſubject had been changed materially within the laſt four and twenty hours. With reſpect to the inſtructions moved for, he conceived that the production of that paper could be of no utility whatever, becauſe it could throw no light upon the grounds on which they were formed. If the noble Lord acted conſiſtently, therefore, he muſt move likewiſe for the production of thoſe documents on which Miniſters had been induced to inſtruct the commander in chief in the Mediterranean to act as he had done. The impoſſibility of producing thoſe papers, with any regard to the intereſt of his Majeſty's ſervice, it was unneceſſary to argue; the thing was ſelf-evident. It was poſſible that at this moment a freſh convention was in the courſe of negociation, perhaps in the train of execution, and it might at any rate be of the moſt dangerous conſequences to diſcloſe the whole of the information which Government might have on the ſubject. It might have the effect of throwing Egypt into confuſion, and renewing thoſe diſaſters which the noble Lord deplored. With reſpect to the event which had occurred in conſequence of the intimation of Lord Keith, he ſaid that he had no reaſon to put implicit credit in the accounts he had read in the newſpapers, from which perhaps the motion took its riſe.

Lord *Holland* contended, that if the production of the papers moved for would be merely nugatory, it ought not to be refuſed; and he conceived, that unleſs it could be ſhewn that important diſadvantages would ariſe from the publicity of papers, they ought to be granted. It was not enough to ſay that they would not bear out the concluſions of any noble Lord, they ought to be exhibited for the information of Parliament,

ment, and to enable any individual to found upon them such motions or measures as he considered advantageous for the country.

The motion was negatived without a division.

ADULTERY.

As Lord Holland rose to address the House,

The *Bishop of Rochester* said, before their Lordships proceeded to the order of the day, he requested the attention of their Lordships to a very few but important observations. The subject he should advert to was one which had much agitated the public mind, and was on that ground alone not unworthy the consideration of that House. It was rumoured abroad, he understood, that the Adultery Bill, which not long since passed that House, had been rejected by the Commons without its contents being looked into and without being sent to a Committee. On this report he should make no comment, but observe, that with their Lordships the Bill experienced no such ordeal; nothing of such a tendency had been suggested even by the opposers of the Bill, who did not object to its going to a Committee; and all of them joined the supporters of the measure in reprobating the crime of adultery, and in deeming it deserving of punishment. Had it been ultimately rejected in that House, the circumstance of the Bill's passing through its regular stages, together with the nature of the debates upon it, would have prevented its going abroad that the House of Lords thought that adultery was a thing which ought not to be punished or prevented; such conclusions could not possibly be drawn. With respect to the general subject, he observed, that although for the present the object of the supporters of the Bill was out of their reach, yet he thought it proper, for the consolation of the public, with a regard to the general interests of morality and the honour of the Legislature, to declare, however in the present instance the Bill was lost, its advocates would not suffer the matter to rest. What specific measures were intended to be proposed he should not say, but that something certainly should be done by the supporters of the Bill to the same general effect. With respect to one prominent feature of the Bill, that which went to restrain the marriage of the adulterer, the House had already branched in its power which it would do well not to exercise. He was a friend to the conservation of public morals, and in which respect he thought the public mind was by no means satisfied with respect to future positions for Divorce

Divorce Bills in that House, the ſtricteſt ſcrutiny ſhould obtain, that the merits of each individual caſe ſhould be rigidly inveſtigated, and he hoped that the counſel for the petitioners would be given to underſtand, that henceforth their Lordſhips would expect from them the moſt ſubſtantial proofs. He was afraid that hitherto the Houſe had been rather too eaſy in ſuch caſes; there had been inſtances where the petitioners, conſcious of the injuſtice of their caſe, had declined appearing at the bar. There were other inſtances within his own recollection, in which counſel having gone through what they thought adequate proof of their caſes, and being aſked what further evidence they had to adduce, expreſſed their ſurpriſe at ſuch queſtions, ſaying, it was all they thought they were expected to produce at that bar: that further particulars might ſhock the delicacy of their Lordſhips, and that amply detailed proof had been exhibited in the Eccleſiaſtical and other inferior Courts. He hoped another line of conduct would be exacted from theſe gentlemen in future. With reſpect to the proof offered in the Eccleſiaſtical Courts, and duly laid before that Houſe, it was merely to ſhew that grounds exiſted for their Lordſhips entertaining a Bill, and no more: it was not for the Houſe to decide upon any other than evidence offered at their own bar. He deemed it proper to throw out thoſe obſervations, and to let thoſe concerned underſtand, that thoſe things were in future likely to undergo a ſevere ſcrutiny; and, as far as poſſible, to prevent any petitioner from approaching that bar, but ſuch as was perfectly pure from the imputation of colluſion, or other unjuſtifiable practices.

STATE OF THE COUNTRY.

Lord *Holland* roſe, in purſuance of the notice he had given ſome days ago, to move an humble Addreſs to his Majeſty not to prorogue Parliament in the preſent ſituation of affairs. The events which had recently occurred upon the Continent ſo nearly affected the intereſts of this country, and muſt influence its future conduct, that they muſt be viewed by all with the utmoſt intereſt. Whether the changes which had taken place in the ſituation of our ally were to be conſidered as motives to peace, or inducements to carry on the war, they deſerved to fix the ſerious attention of Parliament. Thoſe who had hitherto ſupported Miniſters upon confidence, had an opportunity to compare the hopes held out by Adminiſtration, with the events which had occurred, and thoſe who had diſapproved of the ſyſtem which had been purſued,

had

had additional grounds to refuſe their ſupport to meaſures which had produced the preſent alarming criſis of affairs. Unfortunately for this country, a ſyſtem of implicit confidence had long prevailed; and to this might be juſtly aſcribed the ſtate to which Europe and this nation are reduced. That this ſituation was alarming no one could deny. If this ſtate of things aroſe from the genius of one man, and from the ſuperior talents of the enemies' Generals in the conduct of the war, there would be little to conſole us in the proſpect around us. Yet, whatever might be aſcribed to the aſcendancy of Bonaparte, and to the magnitude of the power which he poſſeſſed, it would be found upon examination that much of the calamity which had befallen us and our allies had ariſen from the conduct of Miniſters. All their meaſures proved that they were equally incapable of enduring proſperity with moderation, as of ſuſtaining adverſity with fortitude. In the midſt of ſucceſs their pretenſions were unbounded; in the moment of diſaſter their behaviour was deſtitute of all dignity and courage. When they obtained a temporary ſucceſs, they aimed at ſome wild and extravagant objects, and when diſappointed they wavered from one temporary expedient to another. Thus, in the courſe of the preſent conteſt, no fortune had contributed to bring us nearer to a termination of the miſeries of war. It was not his intention to enter into any diſpute reſpecting the original grounds of this war. It would be recollected, however, that hopes were then held out of overthrowing the new order of things in France. Nothing leſs than indemnity for the paſt, and ſecurity for the future, would content us. In various epochs, the pretences and the language of Miniſters changed with events. Not to ſpeak of tranſactions more remote, or to renew queſtions ſo often diſcuſſed, he ſhould confine what he had to remark on the conduct of Adminiſtration, and the ſyſtem of confidence purſued by Parliament, to more recent periods. It had always been his opinion, that the moſt favourable moment for negociation was that in which ſucceſs might enable us to negociate without any ſacrifice of pride or dignity. Laſt year, when the ſucceſſes of the allies preſented ſuch an opportunity, he had recorded his opinion, by moving an addreſs to his Majeſty, to avail himſelf of that occaſion to endeavour to put an end to the conteſt by a joint negociation. That meaſure, however, was oppoſed and rejected. Succeſs had inſpired the moſt ſanguine hopes, and every thing was expected from the magnanimity, as it was

called, of Ruſſia, and the perſeverance of our allies. The event of that campaign was not ſo brilliant as its commencement, and proved how ill-founded were the pretenſions of Miniſters, even when the feweſt obſtacles preſented, and circumſtances were moſt favourable to their attainment. Miniſters, indeed, contended that there was every hope of ſucceſs. They held out the diſturbed and unſettled ſtate of France. They did not anticipate what was to enſue; they did not foreſee that the chief power in France would paſs into the hands of a man of the moſt extraordinary military genius and talents—they oppoſed every idea of negociation. A change did take place in France; a new opportunity for negociation was offered—the beſt, excepting perhaps one occaſion, that ever occurred ſince the commencement of the war. After the elevation of Bonaparte to the head of affairs we received the firſt overtures which this country had received from France during the war. Theſe overtures were rejected in a ſtyle the moſt arrogant, the moſt impolitic, the moſt inſolent that could be conceived. The bad policy of this conduct was no leſs conſpicuous than the bad taſte of the manner. It was ſaid that Bonaparte was inſincere:—but what then? What was the object he had in view, but to put himſelf in the right ſituation to obtain that confidence and ſupport (ſaid his Lordſhip) which I hope the people of every country will beſtow upon their government when they do conſider it to be in the right. Miniſters, by their inſolent rejection of the overtures, gave Bonaparte the full advantage of that which they pretended was his only object. It was the inſolence of Miniſters that raiſed the armies of France; it was their inſulting language and inſolent menaces that obtained him that ſupport, which inſpired that confidence, which has enabled him to perform ſuch prodigies. If then, as I am far from believing, an inordinate luſt of power, and unbounded ambition be the only principle of action in Bonaparte's breaſt, Miniſters became the panders to theſe vices. They ſupplied the means of their gratification, they afforded every pretence which he could have deſired to facilitate his views. Miniſters then are no leſs reſponſible for the evils which Bonaparte's ambition may have occaſioned, than the Chief Conſul himſelf. So much even upon their own defence for the rejection of thoſe overtures. I will not here examine the decency of their deſiring Bonaparte to diveſt himſelf of that power he had juſt obtained, in favour of the hereditary line of Princes; I will not enquire how far

it

it was politic to make it an object of the war to reſtore that family which has uniformly been the moſt deadly foe to this country that hiſtory can ſhow. I will not enquire whether it was prudent to hold up the Bourbons as the models on which Bonaparte was to form his conduct, in order to maintain tranquillity at home and reſpect abroad; I do not ſee what advantage it could be to tell him to croſs the Pyrenees, and ſee with what tranquillity at home, and dignity abroad, a Prince of the Houſe of Bourbon preſerves his kingdom; or to go to our ally, the King of Naples, to find an example of domeſtic tranquillity under a monarch's ſway! But what were the grounds on which this inſolent and inſulting anſwer was juſtified? We were told that we had the beſt proſpects of ſucceſs; we were told that our allies were to co-operate with their utmoſt force; we were told that the diſaffected in France threatened the exiſtence of the government, and that in Frenchmen we ſhould find our moſt effective aid. All theſe predictions have been falſified. The diſcontents in France have been appeaſed. The government has been conſolidated; Bonaparte has inſpired the people with confidence, and they aſcribe the continuance of the war to the intrigues and to the obſtinacy of Britiſh Miniſters. The arms of France are every where triumphant. Italy reconquered, and on the banks of the Danube a victorious General purſuing a vanquiſhed foe. Such is the ſtate to which we have been reduced by the meaſures of Miniſters, and by the confidence they have obtained. I know that it will be ſaid that Miniſters could not foreſee the adverſe events which have ſince occurred. I do not ſay they could. But it is becauſe they acted as if they had foreſeen all events, that I now charge them with incapacity. They left no room for diſaſter. They left the poſſibility of it quite out of their calculation. They ſpoke and acted as if they could have controuled futurity, and prevented the danger of every reverſe. What elſe indeed could juſtify their arrogant tone, their ungenerous perſonality againſt Bonaparte; their inſolent refuſal even to hear any propoſitions of peace? Thoſe who ſanctioned this conduct of Miniſters upon their erroneous views and falſe expectations, had now an opportunity of correcting their ſentiments upon a more perfect knowledge of circumſtances, and by the evidence of facts, to which Miniſters themſelves had appealed. It was time that Parliament ſhould put an end to that ſyſtem of confidence which had led to nothing but diſappoint-

disappointment and misfortune. If peace was desired as the result of the present course of events, it should be considered whether those Ministers who had so insolently rejected Bonaparte's overtures, and insulted his person, could make peace with honour and advantage to their country? If they received any propositions of peace the Chief Consul must naturally view them with distrust. He must be sensible that after what they have done they cannot negociate in the spirit of conciliation. Their advances would be construed into a confession of weakness and embarrassment. They would be considered as some fresh attempt of the beggarly diplomacy of Paris and Lisle to escape from a temporary distress. It is impossible, therefore, to expect that the present Ministers can negociate peace with any prospect of success. It becomes the House then to consider whether such Ministers merit its confidence, or whether they will recommend to his Majesty to employ men more likely to obtain an advantageous peace, by the general belief in their sincerity? [Here Lord Grenville exhibited some symptoms of surprise.] The noble Lord surely does not mean to dispute the right of this House to advise his Majesty respecting the exercise of those prerogatives, which are properly left to his discretion under that advice. Hitherto I know it has been the practice in this Constitution for Parliament to advise his Majesty, and to represent to him who they consider unworthy of the public confidence. Unquestionably this is the true spirit of the Constitution, and such it has been understood and exercised. Upon what principle has the other House the right of refusing supplies, if it has no means of communicating to the Crown the grounds upon which such a refusal could take place; the want of confidence in the Ministers employed by his Majesty? If this be not the Constitution of England, I am afraid the panegyrics which the noble Lord has so often pronounced have but little foundation. I had supposed that there could be but one objection to the motion I shall have the honour to make, namely, the inconvenience of prolonging the session at this period; but it seems the noble Lord has another in reserve. It will be said, that it is a violation of the royal prerogative to advise his Majesty not to prorogue Parliament. But surely, if Parliament sees any reason to distrust the Ministers of the Crown, it is competent to advise his Majesty not to prorogue Parliament at a moment when public affairs must be guided by those Ministers whom I

may

may not enjoy the confidence of the House or the public. Indeed, whatever may be the course which our present situation points out to be pursued, whether peace or war, it is equally the duty of the House to enter into an enquiry into that situation, and to offer its advice. It was essential, therefore, that the House should continue to sit, in order to undertake the various examinations which circumstances would require. It might be inconvenient for noble Lords to continue their attendance in town (and to none would it be more inconvenient than himself); but surely nobody would hesitate to postpone his own amusement or business to so urgent a demand of public affairs. In truth, whether peace was to be attempted or war to be pursued, it was incumbent on Parliament to proceed no longer upon confidence. The present Ministers had proved that they were equally unfit to carry on war with success or to negociate with advantage. It was known to our allies—it was known to all France, to Europe, that Ministers had never attempted any enterprise in which they had not failed; that they had never projected a warlike scheme which had not terminated to their confusion and disgrace. Before, then, there could be any chance of a more vigorous and successful prosecution of the contest, it would be necessary to investigate the causes of past failures, to forego that system of stupid confidence which has prevailed, and to exert an efficient controul over the Executive Government. In every point of view, therefore, it was of importance that the session should be continued. Both to remedy the past and make provision for the future, it was the duty of the House to employ its constitutional privileges. From regard to its own character and to the public interest—from a just sense of loyalty and affection for his Majesty, it was the duty of the House at least to display a proper jealousy of Administration, and a becoming zeal to contribute its deliberations for the public welfare.

In these grounds (continued his Lordship) that I make the motion with which I am about to conclude.—Whatever may be the fate of it, I can say, "*Libera animam meam*." I have endeavoured to discharge what I conscientiously believed to be my duty; I have laboured to awaken the House to a sense of the dangers of our present situation, and to the consciousness of the important functions it has to perform. Whatever may be the result of that crisis in which we are placed, I at least must be guiltless. He then moved, That an humble address be presented to his Majesty, praying

that

that he would be graciously pleased not to prorogue Parliament in the present critical state of public affairs.

Lord *Grenville* rose to reply to the noble Lord's argument, and began by observing that the noble Lord had waited a good deal on his eloquence and his reasoning, in order to establish two points that he believed no person in that House, or the other, would be at all inclined to deny, viz.—that it was the undoubted privilege of that House, whenever it saw occasion, to advise his Majesty as to the exercise of his prerogative, either respecting the prorogation of Parliament, or any other matters; the other point, viz. that whenever Parliament saw occasion to withdraw its confidence from his Majesty's Ministers, they were entitled to address his Majesty, advising his Majesty to remove his Ministers, and appoint others in their place. He, for one, his Lordship said, never would question the constitutional right of Parliament to interfere in either case, but it behoved the candour and justice of Parliament not to interfere in the one or the other, without strong grounds being previously shewn to prove the expediency and the necessity of doing so, and nothing he had heard from the noble Lord that day, appeared to his mind sufficiently satisfactory to establish the existence of, either the expediency or necessity of addressing his Majesty in the manner proposed. The noble Lord recommended not only a change of his Majesty's Ministers, but was for having the future prosecution of the war, and the conduct and management of a negociation for peace, not only taken out of the hands of his Majesty's present servants, but put into the hands of Parliament itself. The noble Lord said, it was no great compliment to Parliament to say that they would make peace with more advantage than his Majesty's present Ministers. He also would take upon him to say, that it was no great compliment to his Majesty's Ministers to declare, that no five indifferent persons could be chosen out of either House of Parliament, who would not be able to make peace or war, and manage the Executive of Government much better, much more effectually, and much more advantageously for the interests of the country, than Parliament itself. In saying this, he spoke not his own opinion, or the opinion of any individuals or set of men; he held the language of the Constitution, which wisely provided that five persons responsible to Parliament, and subject to the control of Parliament, should execute the administration of public affairs, Parliament being from its nature and functions utterly unfit to do it. He

Lordſhip, ſaid the noble Lord, had reſted his motion on two grounds:—the one, that Parliament, by continuing permanent, and addreſſing his Majeſty not to prorogue it, might have an opportunity of inſtituting examinations and enquiries into the cauſes of what the noble Lord was pleaſed to term the failures of all the meaſures of the war. Excluſive of the inutility, the difficulty, and the impoſſibility of proſecuting any ſuch enquiries, he was ſomewhat amazed to hear the noble Lord take upon him to pronounce that *all* the meaſures of the war had failed, when it was notorious that the war had ſtood diſtinguiſhed beyond all other wars, for the many achievements of our arms, for the great and extraordinary acquiſitions of colonial territory in the Eaſt, as well as in other quarters of the globe. The noble Lord had complained of what he ſtyled the miſerable ſyſtem of confidence given to his Majeſty's Miniſters; but what was this but equivalent to a wiſh that there might be a ſubſtitution of confidence by a change of adminiſtration; for it was evident that no Executive Government could exiſt without ſharing in the confidence of Parliament and the public. The ulterior object of the preſent motion appeared to be nothing elſe than that of effecting a change of adminiſtration: and what were the charges that had been adduced? Miniſters had been equally criminated for the two extremes of obſtinacy and of imbecility? but what was the fair and candid inference to be drawn from accuſations made of ſuch an oppoſite nature, but that, ſteering clear of each of theſe extremes, the meaſures of Adminiſtration were guided by wiſdom and moderation? The noble Lord had adverted to an humble addreſs moved by the noble Lord himſelf, towards the end of the laſt ſeſſion, earneſtly calling upon the Houſe to addreſs his Majeſty to make peace. That addreſs, he recollected, the noble Lord had at the time attempted to ſupport, by contending that the Government of France was no longer precarious; and that it was for that reaſon the fit moment for this country to offer a negociation for peace. How far the noble Lord had been juſtified in that argument a very ſhort period had ſerved to ſhew for, in a few months afterwards, the Government of France was entirely overthrown, and all the efforts of the people of that country to eſtabliſh what they thought liberty and freedom, were defeated by the eſtabliſhment of a new and very different ſort of Government from any that they had before ſeen. With regard to the ſecond ground on which the noble Lord had reſted his motion that day, viz. that Parliament

should withdraw its confidence from his Majesty's Miniſters, the noble Lord had ſhewn no more reaſon for ſuch a withdrawing of confidence, than he had done the other day, when he charged Miniſters with being utterly incapable of conducting the war, and with having miſcalculated the forces of the allies, and the comparative armies that they ſhould oppoſe to the armies of the enemy. How this calculation was to be made, or what ſort of powers of aſcertaining what ſtrength our allies would think it wiſe to employ on this or that particular ſervice of the war, Miniſters were expected to poſſeſs, he was at a loſs to imagine; but as to the want of foreſight Miniſters were charged with, on account of their not having made peace at the end of the laſt campaign, he believed Miniſters would long continue in their ſituation, if they were to wait till others could be found who had ſo much foreſight as to be able to have foreſeen, that the Government of France would have been ſubverted in a few months, and that Bonaparte ſhould have eſcaped from Egypt, come ſafe through our fleet in the Mediterranean, and landed in France, juſt preciſely previous to the overthrow of the French Government; and that, upon that event, Bonaparte ſhould have been able to concenter the whole authority of Government in France in his own perſon. To ſuch want of foreſight he for one was ready to plead guilty. His Lordſhip dwelt ironically on the ſtrange powers of foreſight, that a Miniſter who could have ſeen all this, muſt have been gifted with; and with regard to all the arguments that the noble Lord had urged on the ſubject of the late turn of the war againſt the Auſtrians in Italy, he did not, he admitted, foreſee the ſubſequent events which, it would ſeem, have taken place in Italy; nor could it well have been apprehended that the Auſtrian arms, guided by a military commander of great ſkill and experience, and in poſſeſſion of ſo many ſtrong places, ſhould have ſuffered a reverſe of fortune. Nor, upon the ſuppoſition of a change of Adminiſtration the next day, did he ſuppoſe any one man could be found who could either foreſee, or would chooſe to become reſponſible for particular events which might occur in the courſe of an extenſive war, or for the conduct of our Allies in the proſecution of it; that no fair inference or concluſion however could be drawn from the fate of a battle, which hung in doubt and ſuſpence for a conſiderable time, and which was as likely during its continuance to have ended in favour of the Auſtrians as in favour of the French; in which caſe, the conſequences to the latter would have been infinitely

more disastrous and fatal, than they were likely to prove to the former. Taking even the account and statement of the enemy, which was highly honourable to Gen. Berthier, the Commander in Chief of that army, they would find that it was a battle, bravely fought and ardently disputed between two well disciplined, brave and gallant armies for many hours; in a manner most glorious to both of them, and, for a length of time, also unparalleled in the history of all former wars. If, because the fate of the battle of Marengo, were to be made matter of Parliamentary investigation, he would ask the noble Lord how that investigation was to be put in execution? In the first place, they must have the General of the Austrian army, one of the most able and most distinguished commanders in Europe, brought to that bar, and examined upon what the loss of the battle depended.—Why his Government chose to spread their forces? Why they thought proper to keep forces to a certain number and extent at other posts? and why they did not enable him to command success? It must further be remembered, that whatever share we must take in what affected the common cause, this was a reverse not of Great Britain, but of its Ally, for whose measures the British Ministers never thought of making themselves responsible, any more than for those of other cabinets, over which they had no controul. In the charge of their being too much elated in prosperity, and too much sunk and depressed by reverses, he need only reply to the answer which was made to it in another place, and say that the inconsistency of so many contradictory accusations proved them to be moderate in both—"*Magna est argumento me in utroque esse moderatum.*" Lord Grenville made several satirical remarks on the impracticability of any such investigations as those, for the institution of which the noble Lord, who moved the address, had said he wished Parliament to remain sitting. The noble Lord had likewise thought fit to assume, as the ground of his criminations of Ministers, two things, which he must take the liberty to deny; the one was, that the answer given to the overtures of Bonaparte was of an insulting nature; and the other, was, that the acceptance of these overtures would have led to a secure peace. He would not needlessly employ the time of the House in repeating the substance of that answer, which had met with the decided approbation of Parliament in a former debate upon that subject; but he would advance a step farther, and tell the noble Lord, that

wish all the advantage he had derived from the knowledge and experience of ſubſequent events ſince that period, no other anſwer was proper to be given, or could have been returned. His Lordſhip, adverting to the reverſes in the ſucceſs of the Auſtrian arms, ſaid he muſt put in his plea, which he had again and again made in that Houſe, to disclaim all reſponſibility as to the conduct or councils of foreign powers; he could only argue and decide from the preſent diſpoſition of their governments, as connected with what appeared to be their reſpective intereſts. Was it fit, then, under all the relative circumſtances in which this country was placed at this moment, that the ſeſſion of Parliament ſhould be declared permanent, that that Houſe ſhould take the buſineſs of the executive government out of its hands, or that, from the momentary advantage which the enemy had obtained, not over this country, but over the arms of its allies, the ſpirit of the country ſhould be depreſſed, its efforts paralyſed, the line of conduct which it had hitherto purſued ſhould be, altered, or the engagements which it had entered with its allies ſhould be diſannulled and broken? He could not indulge the idea for a moment, that the Houſe would adopt ſo monſtrous a propoſition. His Lordſhip added a number of other remarks, in reply to the arguments of Lord Holland, and concluded with declaring he ſhould give a direct negative to the motion, for the reaſons he had aſſigned.

Lord *Holland* begged to be indulged in a few obſervations on what the noble Secretary of State had ſaid with regard to his argument, much of which he had either miſapprehended or miſrepreſented. When he uſed the expreſſion, "that *all* the meaſures of his Majeſty's Miniſters during the war had failed," he had not forgot the great acquiſitions in the Eaſt Indies, or ſome other ſucceſſes; but was our ſucceſs in the Eaſt alone to be ſet up in defence of the repeated falſifications of the hopes and expectations which Miniſters had held out to Parliament and the country campaign after campaign. With regard to the idea that he meant that Parliament ſhould take the negociation of peace, or the conduct of the war, out of the hands to which it was by conſtitution to be proſecuted, into its own, no man could imagine he meant any ſuch thing. What he meant was, that Parliament ſhould recall to mind the ſpirit it had ſhewn for ſome years paſt, and of that ſcrutinizing vigilance with reſpect to the conduct of his Majeſty's Miniſters, that it had made during the period of its

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blind confidence in all their measures. As to the removal of them altogether, and addressing his Majesty to appoint others in their place, he had no scruple to say he should like that best of all, but he had not expressly contended for such a proposition; and did the noble Secretary of State think that Parliament could not successfully take some step short of the absolute removal of Ministers, that would satisfy the country, and restore both Houses to their confidence? Undoubtedly they might. With regard to the triumph of the noble Secretary in respect to his having charged Ministers with *want of foresight*, certainly the foreseeing impossibilities was not the sort of foresight he alluded to; but he meant that sort of want of foresight and precaution which should have led them to take advantage of present circumstances, and to guard against probable changes of fortune; such, in particular, as the not making peace, while we had the joint alliance of Austria and the Emperor of Russia, and other favourable events of the war. The noble Lord had indulged his pleasantry in ridiculing the mode of investigation, that it would be necessary to institute, if the battle of Marengo and its events were to be enquired into; but (said Lord Holland) the investigation he wished to see instituted was, not what he should call for an enquiry into the battle of Marengo, but into the previous circumstances that led to the unfortunate turn of the affairs of our allies in Italy, the causes of many of which he should like to know, having great reason to suspect that a discovery of them would serve to prove the improvidence and incapacity of his Majesty's Ministers. His Lordship made some other observations in reply, but persisted in his motion.

On the question being put, the House divided,

Contents 2—*Non Contents* 26.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JULY [illegible]

The Speaker went up to the House of Lords, being summoned to attend there by the Usher of the Black Rod, and upon his return informed the House that he had heard the royal assent notified by commission to the Scots Distillery Bill, the Stamp Duty Bill, and several others.

Mr. *Hiley* said it appeared from the papers laid the preceding day before the House, that there had been a saving to the public [illegible] Ministers, than at [illegible] the bill.

the public of seven or eight millions, upon the agreement entered into with regard to the hereditary revenues of the crown. As he wished that the advantages of this agreement should be fully known, he moved that the papers presented to the House by Lord North, on the 9th day of April, 1777, be printed.—Ordered.

Mr. Addor gave notice that on Friday he should move, That an humble address be presented to his Majesty with regard to the public records of this kingdom.

NEW FOREST.

Mr. *Sawyer* moved, That the House do now further proceed upon the bill for preserving the timber in the New Forest, and for ascertaining its boundaries.

Sir *E. B. Jones* said he could not sit silent when injustice was about to be done. The bill professed to have a public object in view, but its real and its only object was to promote the individual interests of the Secretary to the Treasury. It was exactly of the same nature with that which had been thrown out some years ago, and would prove prejudicial to the crown as proprietor of the forest, and almost to every landholder in that district. The powers given to the commissioners were unnecessary, novel, and exorbitant. Upon the whole, the business was as complete a job, and covered with as flimsy a pretext, as any that ever came before that House.

Mr. *Rose* said, he felt himself called upon, from the clear assertion made by the honourable Baronet to him, to say a few words; and, first, on the interest said to be created by this bill. He would but just observe, that it was impossible for the honourable Baronet, on reading it, to say that this interest was created. A number of gentlemen, having small tracts on the forest, were called upon to exchange land on the forest for other land; and in this he (Mr. Rose) had not the remotest interest that could by any means justify such an assertion; and he defied either the ingenuity or malice of man to impute upon the least consideration, such a charge to him; and in this assertion he hoped he would be believed. He would not take up much time of the House, but he would now ask (in reference to what Counsel had said) how copyholds were to be created; how the Crown was to have the power of making freeholds; or how the cottage was to be put into a worse situation than before? The bill was absolutely necessary for preserving and promoting the growth of timber in the New Forest,

rest, by preventing the injury it might receive from the brouling of deer, which does material damage to the trees. The bill did not throw the full decision into the hands of commissioners, but gave the choice of a final decision by commissioners, or the trial by jury. He then recapitulated the further objections stated at the bar, which he explained and removed; and insisted that the bill gave no new bringing unless it could be considered, that what you could before inclose for timber, was now to be inclosed for the deer of the forest, and that did not exceed four hundred acres; and desiring gentlemen who have property on the borders of the forest, to purchase lots of land on fair and equitable terms.

Mr. *Hobhouse* said, he wished to state a few objections before the bill passed. Two petitions only did appear, and both stated that they did not know that their property was involved by this bill. Many would yet appear, and be prefented, when the bill was in another place. He read letters from certain perfons complaining of the hafte of the bill, or their ignorance of its tendency, and praying a longer time. This he ftated as a document for his objections in this ſtage of it. He thought it would be advifeable, when a bill was brought in, for the Crown to apprize the parties, though he knew it was not fo by common law, as what affects the king is fuppofed to be known by all. He was not, on his part, againſt the principle of the bill; that was good: but the preamble ſhould be proved, and not aſſerted merely as it was. He objected alſo to the powers of the commiſſioners, as too general and extenſive, and inſiſted that what was aſſerted by the counſel had never anſwered the *nullum tempus occurrit regi* will be proved, "Sixty years poſſeſſion confirms a right;" a man having property for a hundred years is ouſted by the commiſſioners. He purſued his objections farther, reſtating what he ſtrongly urged before, and expreſſed his wiſh that the bill was delayed for another ſeſſion.

Mr. *Sturges* ſaid, that he would renew his arguments in ſupport of the bill, did not gentlemen ſeem to forget what had been ſtated, and what was fully diſcuſſed before. He then traced the bill through its whole proceſs, and ſhewed that its progreſs was marked with deliberation, diſcuſſion and candour.

Mr. *Huſſey* ſaid, that alleviating the number in the grand jury was an object inferior only to that of leeding the boundary, but it was inferior to it, and ought to be ſacrificed [illegible]

come into competition. It was a reproach to Government that in these times of scarcity 115,000 acres of land should be lying waste and unproductive. The whole of the crown lands should be sold, and being then private property would be properly cultivated, and made subservient to the wants of our necessities. He denied that the bill would even tend to preserve the timber of the forest. The means were altogether inadequate to the end. The plan of inclosing four hundred acres for the raising of hay, and thus making the king become a farmer and deer-feeder, was exceedingly ridiculous, and would prove completely futile.

After a few observations from Mr. Martin and Mr. J. Hawkins Browne, the House divided, when there appeared—

Ayes 92—*Noes* 21.

Majority 71

The bill was then read a third time and passed.

A Bill for the Relief of the Poor of the Metropolis was read a first time, and, after a desultory conversation between Mr. Robson, Sir William Milner, Sir William Young, Mr. Tierney, Mr. Mainwaring, Mr. Hawkins Browne, and the Chancellor of the Exchequer, was ordered to be read a second time on Monday.

Mr. *Mainwaring* moved, that the account of the amount of the Poor's Rates, presented some days ago, be printed.—Ordered.

Mr. *Robson* moved, that there be laid before the House an account of the number of houses within the Bills of Mortality, and the parishes of St. Pancras and St. Mary-le-Bone, taxed to the duties on inhabited houses, and not to the poor's rates, specifying the number in each particular parish.

A long conversation took place with regard to the motion, after which the House divided upon it.

Ayes 28—*Noes* 103.

Mr. *Wigley* spoke in favour of the motion, that it was but with great difficulty any part of what he said could be heard. He wished it could be collected, the wages paid, the circumstances of the country at this moment were such, there was the same duty on Parliament to [illegible] and wrestle with all the vexations and hardships of the present state of things; and that he thought it ought to give them an opportunity for that consideration, by moving that the

House

House should go into a Committee to consider of the state of the nation. He was well aware that he ought to apologize to the House for intruding himself upon their notice, especially as he had since understood that one or two gentlemen had entertained an idea of giving notice of the same motion. He wished it had fallen into their hands, as he was confident it would have been better executed than by himself; but he had the consolation of thinking, that as their sentiments were congenial with his own, he should have the advantage and support of their superior talents. He was aware that it would be objected that it would be necessary to go into details of the situation of the country before the House could draw any conclusion; and that these details were improper. But though this might be true in general, and under common circumstances, yet the situation of things at present warranted the House in calling for those details. To go no further back than the commencement of the present session, overtures of peace were made by the enemy, and rejected by his Majesty's Ministers. Every hope which they then held out, every reason which they gave in justification of the war, had all completely failed them. Surely, then, it became absolutely necessary for the House to review the situation of the country, and see on what ground the prolongation of the war could be justified, or at least to ascertain how much further we ought to follow that line of policy which hitherto, to fatally for the country, we had obstinately persisted in. If hon. Gentlemen saw the situation of the country in the same light in which he viewed it; if they had the same opinions of the functions of Parliament which he had, that it was their duty to counsel the Crown, whenever they thought counsel would render service to the country, they must, and would, in such a case, support his motion. He was well aware that it would be urged against the motion, that it went to encourage and engender a despondding idea of our situation and affairs, and that it would tend to embarrass the operations of the Executive Government; but this he totally denied. It was by no means to encourage despondency to view our affairs; there was no reason to shrink from the examination; and the ensuing operations of the Executive Government had not hitherto answered the public expectation, it became the House then more than ever to exert their wisdom and policy. Without recurring to the expenditure of the war, in many instances, would not the misfortunes in the course of it afford sufficient grounds for doubt of the wisdom of the Ministers for that consideration, [illegible]

prudence of the preſent Miniſters. At the beginning of the preſent year they refuſed to treat with France upon any terms, becauſe of the inſtability of the Government; would they now refuſe any terms? At that time, though with the experience of ſeven years before us, which had fully evinced the abſurdity of the ſyſtem we had been purſuing, and conſidering the diſtreſſed ſituation of the country, there ought to have been ſtrong grounds to have warranted them in refuſing overtures for peace. What were the grounds upon which they then refuſed thoſe overtures? The character of Bonaparte; the great aſſiſtance we were to receive from the Emperor; the ſucceſs of our magnanimous ally, Paul! What had become of all theſe hopes and expectations? Was one of them realized? Where was the extraordinary exertion of the Emperor of Germany? What had become of the conqueſts of Ruſſia? Nay, more, what was become of our ally himſelf? He had ſeceded from the alliance, and there was good ground to believe that from neutral he would ſoon become hoſtile towards us. By moving, therefore, for a Committee of Enquiry, it was not encouraging any deſponding ideas; but for the purpoſe of ſeeing what was likely to be our future ſituation, looking at the probable conſequences of things. There was great reaſon to believe that France would ſoon be relieved from all her continental enemies, and then be enabled to direct the whole force of her immenſe armies of veteran troops againſt us. If ſo, with all the activity, energy, and vigour, which had characterized their leaders, and poſſeſſing that immenſe tract of ſea-coaſt, what was to impede them from making deſcents upon our ſiſter kingdom? Notwithſtanding the unqueſtioned ſuperiority of our fleets, the thing had been proved by experience to be practicable. If they ſhould ſucceed in landing large bodies of troops in that country, conſidering the preſent temper of a great part of the people there, the conſequences might be truly deplorable for the intereſts of Great Britain. With regard to our own internal ſituation, he agreed that our finances were great and abundant, but they were not boundleſs and inexhauſtible. We were loaded with an accumulation of debt, and every article of life bore the heavieſt price. Under theſe circumſtances, was it aſking too much, to require the Houſe to go into an enquiry of what was the actual ſtate of things? The people of England were anxious for peace, as it appeared from the riſe of the funds, upon the news

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of the diſaſter of an ally. So much was peace deſired, that even defeat was welcome, if it appeared to further that object. He truſted the peace, if not concluded, would ſoon be concluded between Auſtria and France, as that would open a facility of our negociating. To prove this, he wiſhed to read a letter of Lord Grenville's, previous to the negociation of 1797, in which that nobleman expreſſed the ſame opinion. If Auſtria ſhould make peace again, the relative ſituations of the countries would again be the ſame, and he hoped we ſhould again have recourſe to negociation. It had been ſtated, that the accounts which we had received had not yet been authenticated: but, in truth, he thought this a very weak ground of hope. For theſe reaſons it was that he had deemed it his duty to make the motion for the Houſe to go into a committee of enquiry, whether we ſhould go on in the preſent conteſt, not only without our allies, but even with the chance of having Ruſſia hoſtile againſt us. He concluded by moving, that "the Houſe ſhould reſolve itſelf into a committee to enquire into the ſtate of the nation."

Mr. *Wilberforce* ſaid, after hearing attentively the ſpeech and the motion of the hon. Gentleman, he could not but conſider the real object of the meaſure which he had propoſed, to be the ſubverſion of all the plans and counteraction of all the conduct which Miniſters had adopted and the Houſe had hitherto ſanctioned. The hon. Gentleman had ſtated, and it is unqueſtionably true, that the ſituation of the country is at preſent highly critical. But the critical ſituation of the country, though allowed, was not, in his opinion, of itſelf, a ſufficient ground on which the motion could be reſted. The hon. Gentleman conſiders it in his motion as ground of enquiry, but ſenſible that of itſelf it would not avail, he went much further in his argument. The country may be in a critical ſituation, and yet it may not be the province of the Houſe of Commons to interfere, to dictate the meaſures to be purſued, and that they ought, ſo far as the motion is concerned, be taken for granted. In the argument, however, it was ſtated, that from the conduct of miniſters, the hon. Gentleman has withdrawn his confidence in them; but becauſe he has withdrawn his confidence it is certainly preſuming a little too much, to ſay that the Houſe of Commons, who have long been of a different opinion from the hon. Gentleman, have withdrawn their confidence from Miniſters. It is incumbent on him, therefore, in the firſt place, to prove

that confidence might not be withdrawn from Ministers, and that they had justly forfeited it. He perhaps carried his sentiments upon this point too far: but others, and some honest gentlemen, and it was not from his attachment to the present administration, but from a conviction that the House being necessarily unacquainted with plans formed and entered upon, but not furnished with circumstances relating to the means of executing these plans, with the details of operations, with treaties projected, but not concluded, and other things of a similar nature, must be in many respects unqualified for interfering with propriety with the proper and peculiar functions of the Executive Government. It is obvious that there are many cases in which such interference must be injurious, and in the present instance he was convinced that it must be highly so. This he would endeavour to prove on either of the three suppositions—That the war is not to be continued; that negociations are to be entered upon; and that peace is to be concluded. Consider what would be the first step in adopting the measure proposed if the war is to be carried on, and adopting it on the grounds and principles which the hon. Gentleman has laid down. It is evident that if the House resolves into this Committee, the first resolution that would be proposed to it, would be to instruct his Majesty's Ministers to negociate for peace. But must not every man see, that for the House of Commons to give such an advice would be at once to say that it had withdrawn all confidence from his Majesty's Ministers, and would thus be most prejudicial to this country, whether its effect is considered as it would affect our allies or our enemies. And firstly, what would be its effect upon our allies? It has been long the boast of this country, that it has ingrained the most unsullied fidelity in its engagements with its allies; it has displayed a scrupulous delicacy in its adhering to its engagements, even more than could be strictly required in fulfilment of moral obligation. But if ministers were at once to advise negociation, or even to adopt any measure which has this for its ultimate aim, we would be departing from those principles which have hitherto regulated our conduct, and would be without knowing it, the dupes of the designs of our allies, or the means of their fulfilling their engagements perfidious, by violating our engagements ourselves. If our allies should see that we had the means and the desire of continuing the contest, would not our conduct in thus withdrawing confidence from Ministers, thus rashly and precipitately be

leſs without juſtification? Miniſters themſelves have yet received no documents by which they can aſcertain theſe points. They have no documents now to regulate their conduct by; and ſhall the Houſe of Commons, who have ſtill leſs means, preſcribe what that conduct is to be? Still worſe would be the effect of this meaſure if the war is to be continued, in increaſing the triumph of our enemies, as it enables and entitles them to call us a proſtrate nation, ſubdued, humiliated, and at their mercy. But ſuppoſing negociations ſhall be commenced, and even that peace ſhould be concluded, it would certainly be very prejudicial to negotiating with advantage, or procuring favourable terms, that the enemy ſhould ſee that we had been at once ſo diſpirited by the reverſes of our allies, as at once to be induced to deſert them, and to ſue humbly to them as the Lords of the aſcendant. He would aſk, what has this country to apprehend from the greatneſs of France? He knew that there was danger to be apprehended from that country in war, and perhaps ſtill greater in peace. But he could not perceive how that danger was increaſed at the preſent moment, ſo as to anſwer the meaſure propoſed. The motion appeared to him to be pregnant with great danger to the country, miſchievous in its tendency, and gratuitouſly miſchievous on the part of the hon. gentleman who moved it. If negotiation is proper, he would aſk the Houſe what reaſon has been adduced to prove that Miniſters would not ſee and act upon that propriety? They did negotiate in 1797, and thus gave evidence of their willingneſs to make peace whenever they thought that it could be done with ſafety and ſecurity to the country. What reaſons, he would aſk, has the Houſe now to conclude that they will not do ſo again, when circumſtances point out the meaſure as expedient? They have underſtandings to diſcriminate when theſe circumſtances exiſt, and he was convinced that they have integrity to decide and to act upon them. He would not follow the hon. Gentleman through the details of the reaſons which he ſaid had been given for rejecting the overtures for negotiation at the commencement of the preſent ſeſſion. But there is one thing which he ſeemed entirely to forget, when he argued that Miniſters had reaſoned on the inſtability of Bonaparte's power, and it is in this that it was impoſſible then to foreſee that his power would be ſtable, till time had elapſed to ſhew upon what grounds it reſted, and whether he would be able to retain it. If Bonaparte has acted

acted well ſince he came into power, he would aſk the Houſe, what reaſon they have to ſay that Miniſters do not perceive this, and that they will not, in regulating their conduct, take this into conſideration? If ſome of the ſchemes of the Miniſters or their allies have failed, if they have failed from want of prudence and precaution on the part of Miniſters, he would not ſay that they were not reſponſible, but if they have failed not from this cauſe, but merely from circumſtances which no prudence can foreſee or prevent, from the adverſe fortune of war which has made the event of one or two great actions unfavourable; Miniſters cannot be blamed for this. It is unfair and unreaſonable to judge that Miniſters are undeſerving of confidence from events ſuch as theſe. He truſted that adminiſtration would not make any of the declarations which the hon. Gentleman had called them to make, and that the Houſe would not call them to make peace, before the time ſhall arrive when it can be done with ſafety, and when ſuch terms can be procured, and till a ſecurity can be obtained, that whenever peace is made, we ſhall not ſoon be obliged to engage again in war. On theſe grounds he would oppoſe the motion.

Mr. *Martin* ſaid a few words in favour of the motion, on the ground that too much confidence had been placed in Miniſters, in conſequence of the reſponſibility which was ſuppoſed to be attached to their actions; but he ſaid the word reſponſibility had been ſo much uſed and ſo much miſuſed, that the very mention of it made him ſick. They ſay you muſt not preſume to interfere with our conduct, by adviſing us, becauſe we are reſponſible, but when it is preſumed to inquire into their conduct, or to cenſure it, then no more is heard of their reſponſibility.

Mr. *W. Smith* ſaid, that his hon. Friend (for though they differed in opinion upon many points, he hoped, that no perſon would ſuppoſe that they might not be friends) who had juſt ſat down, had allowed, even in his oppoſition to the motion, that there was a great difference between the ſtate of affairs now and at the beginning of the year. He would contend that in the preſent ſtate of this country, and of Europe, ſufficient motives might be found for ſupporting the motion. His hon. Friend ſaid, that if the Houſe goes into a Committee, as propoſed, they muſt come to a reſolution to inſtruct his Majeſty's Miniſters to make peace. This is certainly by no means a neceſſary conſequence of going into the

the Committee, and if he were to dictate the resolutions to be adopted by the Committee, no such should be found among them. Though the House were this night to form itself into the Committee, it might also adjourn over till the following week, or till time should be given for accounts to be received of the dispositions and forces of our allies. The hon. Mover of this measure certainly did not put his motion on what he conceived to be dangerous to the Country, leaving the management of its affairs in the hands of men whom he thinks undeserving of its confidence, and his hon. Friend over the way opposed the motion on the ground that it was necessary, first, to prove that Ministers are undeserving of confidence. He agreed with both Gentlemen, and allowed that it is incumbent on those who argue on the side of the question which he meant to support, to state some reasons why Ministers are not entitled to the confidence of the country; and second, to shew that withdrawing it at this moment would not be attended with any dangerous or evil consequences to the country. In the first place he allowed that the want of success alone would not justify the withdrawing of confidence from Ministers. But if the want of success arises from causes which naturally produce it, and if these causes continue to operate, then that confidence ought no longer to be granted. There are several grounds of confidence upon which he would try the pretensions of Ministers to the confidence of the country. 1st, Have they displayed a knowledge and capacity of appreciating mens' characters? He would try them on this point; both as to allies and enemies. What is to be inferred on this point from their conduct to the King of Prussia in the beginning of the war? They continue to subsidize him, notwithstanding the assurances given them, that he only waited a favourable opportunity for deserting our alliances; and after he had received all our subsidies, he did, notwithstanding the assurances of Ministers to the contrary, desert our alliance. Passing over a number of other instances, let us see what is their claim to this ground of confidence. With regard to the Emperor of Russia, they declare him to be our most magnanimous and disinterested ally. He would be glad to know, if by saying so, they have displayed any knowledge of his character. He has not only deserted the alliance, but it is alledged on the very ground that we had some difference with him as to his interest, keeping possession of Malta, should he obtain possession

sion of that trifling Iſland. If this be true, ſurely it was not very conſiſtent with the pretended diſintereſtedneſs of his character. Farther, what ſagacity in reading mens' characters have Miniſters diſplayed in the eſtimate they have made of thoſe of our enemies? He would ſay nothing of the character of Bonaparte, he would leave it to ſtand or fall upon its merits. But it would not be too much to ſay reſpecting this point, that every man muſt be convinced that Miniſters repent, would wiſh they could retract, and that they could efface from their own memories, and thoſe of others, the violent invectives which they ſo liberally laviſhed upon it. A ſecond ground of confidence in Miniſters, and a ſecond criterion by which their claims on the confidence of the country ought to be eſtimated, is their ſkill in predicting events. In the courſe of the preſent ſeſſion 550,000l. have been voted in ſubſidies to the Elector of Bavaria, a Prince whom every perſon, even of common information and diſcernment, ſaw only waiting to join the ſtrongeſt party, and who has has given no aſſiſtance in return for our money. Have they been right in any one prediction that they have made of any event which has taken place over all Europe? Have they been right in their prediction of events in Italy? Have they been right in their prediction of events in Egypt? Have they been right in their predictions as to the inſurrections which were to take place in France, with regard to the diſorganization of the French armies, of the French finances, or of the ſtability of the new government? Another qualification which would entitle Miniſters to confidence, and by which their claims are to be tried, is their having taken advantage of great political conjunctures. Have Miniſters done this? They have never negociated, except when, by their own confeſſion, they were driven to it. When they ſtood as it were on the vantage ground, and when we could have negociated on favourable terms, we rejected all overtures for negociation. At the time when we refuſed to liſten to Bonaparte's overtures, the affairs of our allies were certainly very different from what they are now; but we then played the part of the deſperate gameſter, who, having gained every thing that could be conſidered as gain, and who having only a deſire to obtain ſomething more, which is really of no conſequence, riſks all his advantages upon the caſt of a ſingle die. One of the traits in the character of William III. which had been moſt celebrated, was the facility with

he poſſeſſed of keeping together with very ſlender means a great confederacy, and uniting their efforts for the attainment of one end. At firſt we had the advantage of being confederated in the war with almoſt the whole powers of Europe; but their efforts had never been directed to one point. One power had one object in view, and another power profeſſed another object, till ſome from one cauſe, and ſome from another, had been continually dropping off from the alliance. The confederacy, broken to pieces of itſelf—*Sibi ſua viribus ruit.* Another point in which Miniſters have forfeited the confidence of the country is, that in other reſpects beſides theſe he had mentioned, they have not taken advantage of the immenſe means which have been at their diſpoſal. He could give little credit to them for raiſing the money which had put theſe means at their diſpoſal, for it is but fraud *mutis* to them that the country has been able to furniſh them with ſuch immenſe ſupplies. The right hon. Gentleman has talked frequently of the great advantages reſulting from what he calls the ſolid ſyſtem of finance, which he has introduced in the income tax: but in his opinion this ought to have been the laſt means reſorted to, as it is oppreſſive and grievous in its nature; nor is it a new ſyſtem; we find it impoſed under the old Government of France, in its vingtiemes and dixiemes. Theſe taxes were originally impoſed by Louis XIV. in the midſt of his career of ambition and conqueſt; and even then in France they were conſidered as oppreſſive: now then where is the merit of raiſing money, when ſuch oppreſſive meaſures are reſorted to? But what has been done with the money ſo raiſed? The votes for the navy and army for the two laſt years were between 20 and 30 millions; and with this nothing had been done but defend the country, and carry on the Dutch expedition.—There had been no attempt at invaſion. He would allow that defence was a great object if the French fleets had not been entirely inadequate to meet ours at ſea, and if the French land force had not been employed in another quarter. As to the Dutch expedition, the right hon. Gentleman ſays, that we gained great honour by it; but no man in the country could lay his hand to his heart and join with him in this opinion. For theſe reaſons he thought the Houſe would be juſtified in withdrawing their confidence from Miniſters. But what would be the effect of this?—It may be anſwered in the firſt place, the appointment of others

in their room. Well, then, he would aſk, if they are the beſt men in the world for carrying on the war? The manner in which they have hitherto conducted it argues little in their favour on this point, for ſurely it cannot be pretended that they have carried it on ſucceſsfully. If they are not the beſt for carrying on the war, he might next venture to aſk, if they are not the worſt poſſible for making peace? They have argued all along, that peace with France would be a great evil, that there is more danger to be apprehended from it than from carrying on the war, and that we ought not to make peace with that power, under her preſent Government, without being reduced to the laſt extremity. Were the preſent Miniſters then to propoſe to negotiate with France, it would be publiſhing to the enemy that we are reduced to the laſt extremity. The hon. Gentleman (Mr. Wilberforce) has ſaid, that if peace is expedient and proper, Miniſters would ſee this expediency and propriety, and will act upon it; but their ſeeing this expediency does not remove the objection that they are the moſt improper perſons to treat. Miniſters have piqued themſelves very much on the ſupport they have received in the opinions of the people of this country, but if they will examine, they will find that the moſt unequivocal deſire of peace prevails among every claſs of men. Among monied men particularly the ſymptoms of this deſire are diſcoverable. Gentlemen had always repreſented this war as carried on for religion and ſocial order; but in the conſideration of monied men theſe objects were not either of ſo much importance, or ſo much in danger as materially to affect their opinions; for whenever the ſlighteſt grounds is given for ſuppoſing that negotiations will be entered into, or that peace will be concluded, the credit and the confidence of the country has riſen in proportion. By the credit of the country he meant, and he believed that it was generally underſtood, that this expreſſion was ſynonimous with the public funds. On a late occaſion, the right hon. Gentleman boaſted, that at no period ſince the commencement of the war, had the credit of the country been ſo high. He could now tell him, and it is a well-known fact, that ſince the late news arrived this credit has become ſtill higher, from the impreſſion that Miniſters would be driven to make peace, and if to-morrow news ſhould arrive, that the Emperor has ſigned the preliminaries of peace with France, and it ſhould appear that Miniſters had, even under

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the preſent adverſe circumſtances, ſent a courier to Bonaparte to inform him of their willingneſs to negotiate, the funds would yet riſe to a much greater degree. The precedent of the American war appeared to him to be in point to our preſent ſituation. He was aware that *facies non omnibus una, nec diverſa, tamen*—but he was afraid that, if we perſiſted, the iſſue of that war would be only a ſample of what would be the termination of this. Then, indeed, this country would ſtand in a moſt diſgraceful ſituation; for it muſt be a diſgrace if, through the fault of the ſtateſmen to whom the affairs of this great nation are entruſted, and who have had the complete diſpoſal of its means and force, it ſhould be reduced to terminate the war only in ſuch circumſtances, as Miniſters themſelves repreſent as the only circumſtances which can juſtify negotiation. On theſe grounds, principally, Mr. W. Smith argued in ſupport of the motion.

The *Secretary at War* ſaid, that however improper he might conſider this motion at the preſent time, or in the preſent circumſtances, a time may come; and circumſtances may exiſt, when ſuch a diſcuſſion would become neceſſary, and were he then to enter into that diſcuſſion, he would turn his attention to one ſide of the queſtion which Gentlemen ſeem entirely to have forgotten. There are dangers in peace as well as in war; and though the country can never be in both at the ſame time, but muſt be either in a ſtate of war or a ſtate of peace, in diſcuſſing the queſtion of peace or war, it is neceſſary to conſider and eſtimate the dangers of both. This country is now in a ſtate of war, conſequently at preſent we only ſee the calamities of war, and the dangers of peace are overlooked and forgotten. But there muſt be dangers in peace or elſe war would never be neceſſary, and no nation could ever be juſtified in running into it. Therefore in diſcuſſing the queſtion of peace or war, whether it was that the nation being at peace, it was propoſed to enter into war, or that the nation, being engaged in war, it was propoſed to make peace, it is neceſſary that the dangers of peace in the one caſe ſhould be enforced, for this could be the ſole juſtification of going to war, and in the other, duly conſidered, that the country might not be involved in greater danger than that in which it is placed in the ſtate of war. For his own part, however ſanguine his hopes, and however earneſt his wiſhes had been at times during this war for peace, and he confeſſed that he wiſhed as earneſtly for peace as any man, yet he had never conſidered it as remarkably deſirable with-

out the reſtoration of ſuch a government in France, as he had often expreſſed his wiſh to be eſtabliſhed in that country; becauſe, without this, he feared that any peace would be inſecure and dangerous. The only ground that had been ſtated againſt this was general declamation on the ſuperior advantages of peace; that it was the leaſt of two evils, and on the principle of *Pax potior Bello*. Were he then to diſcuſs the queſtion, his attention would be directed as well to the dangers of peace as the evils of war, that the ſtatement might be fair, and full grounds given upon which to decide. But he would not at preſent go into this point. The queſtion of peace or war is properly the buſineſs and the function of the Executive Government, at the ſame time the right of the Houſe to examine into the conduct of the Executive Government, to ſuperintend its meaſures, and to give its advice, no perſon does or can diſpute. But there is a fair queſtion for diſcuſſion in the Houſe, before it conſents ſo to interfere, whether or not its interference is expedient, proper, and juſtifiable. If the exiſtence of an important criſis alone were a ſufficient reaſon for this interference and for adopting meaſures of the kind now propoſed, the Houſe may be in a perpetual Committee; not a battle fought, not a treaty concluded, not the deſertion of an ally but might be made the ground of a motion for the Houſe reſolving into a Committee on the ſtate of the nation. It might be continually giving its advice to the Executive, and, in ſhort, the Government would be in a conſtant commiſſion. To juſtify ſuch a motion there not only muſt ſuch a criſis exiſt, but ſome probable ground muſt be given for inferring that the Government will not act wiſely, and this can only be done by proving there has been a delinquency in its previous conduct. But even this would not be ſufficient to authorize ſuch an interference as that now propoſed, becauſe, as the removal of Miniſters would follow its adoption, it muſt be proved, that the delinquency is ſo great as to require their removal, and that the criſis is ſo urgent as to require the interference of the Houſe, to effect this removal more ſpeedily than the change could be effected in the uſual way. The hon. Gentleman has ſtated ſome grounds on which he argued, that confidence ought to be withdrawn from the Miniſters. 1ſt. That they have judged ill of perſons, both allies and enemies. 2d. That they have predicted falſely of events. 3d. That they have failed in taking advantage of important conjunctures, and of making the moſt of the means in their power. Theſe points he would review,

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and lightly touch upon. Upon their judging ill of perſons, he inſtanced firſt the King of Pruſſia—but he muſt premiſe, that except frequent inſtances are given, nothing ought to be deduced from a ſingle diſappointment. It is ſaid that we ſubſidized him, and that he deſerted us. True, we did ſubſidize him, but did we not receive at the time full compenſation for that ſubſidy? We have ſubſidized Auſtria too. But has it not happened, that with the allies which we have had, and the ſubſidies we have given to them, though ſome of them, as in the nature of all human things might be expected, have proved more faithful than others; though ſome of them have, from time to time, deſerted us, and others threatened, we have been enabled to weather every ſtorm which has threatened its exiſtence. Gentlemen talk loudly and inſiſt largely on their ſubſidies. They are continually talking of their money given. He thought that they might find ſome other more worthy ſubjects to dwell upon in the exertions and in the ſpirit of the country, than its money. But have they not had their money's worth of aſſiſtance?—Has not what money we have advanced to Auſtria been fully repaid by Auſtria? Gentlemen argue that many plans have failed, that ſucceſs has not been proportionate to what was predicted; but ſucceſs was never abſolutely promiſed, and it never could be, for failure is incidental to all human projects or deſigns, and if the ſucceſs of our allies have not been ſo great as they might poſſibly have been, no argument of any weight can be deduced from this, and it ought to be recollected that the aſſiſtance of theſe very allies, Auſtria and Pruſſia, have ſaved us from great evils and dangers. The Emperor of Ruſſia is adduced as another inſtance of the incapacity of Miniſters to judge of characters, and a circumſtance is ſtated relative to Malta, as if his being thwarted in obtaining poſſeſſion of that iſland was the cauſe of his defection. He would not ſay that the hon. Gentleman had not as good information as any perſon could have, except thoſe who, from their official capacities muſt have the means of acquiring the beſt intelligence; but he certainly is moſt completely miſtaken in this point, and this circumſtance ſhews how little even the beſt informed people may be acquainted with the private tranſactions and connections of the Executive Government, and alſo how cautious the Houſe ought to be of liſtening to or depending upon ſuch ſtatements; for if they do, it proves that very frequently they muſt fall into complete error. The next inſtance given was that of Bavaria.

Has

Has the hon. Gentleman read the laſt diſpatches from Germany, and if he has, has he not perceived that the Bavarian troops may have been the means of gaining a battle? And the importance of ſuch a ſervice as this, the importance of gaining a battle is evinced by every part of the argument of the other ſide, which all reſts, and is profeſſed to reſt upon the adverſe event of a battle in Italy. With reſpect to Ruſſia, however, he muſt ſtill obſerve that ſurely we have received the full compenſation of any ſubſidy we may have given to her. Only look at the laſt campaign; it preſents to our view Italy delivered and reſcued from the power and poſſeſſion of the enemy, principally by the arms and the exertions of Ruſſia. *(A cry of "hear! hear!" from the Oppoſition Bench)* Gentlemen call out hear, yes, hear. What is it that makes us ſo much lament the loſs of the co-operation of Ruſſia, but the recollection of the mighty and important ſervices which ſhe performed when ſhe did co-operate with us. The hon. Gentleman ſays that Miniſters have not judged better of their enemies than their allies, and here he comes to the theme of ſo many praiſes, the object of ſo much admiration, the ſubject of ſo warm and animated panegyrics, the Firſt Conſul! and with regard to him, he aſked, if every perſon muſt not be convinced that Miniſters ſincerely repent and wiſh to retract, and would gladly efface from their own memories, and thoſe of every other perſon, the abuſe and invectives which they formerly laviſhed upon him? But I know, ſaid the Secretary at War, of no invective of which I ſhould repent. Why ſhould I ſay no other language was ever uſed but the ſerious and dignified language which honeſt and honourable men would uſe in ſpeaking of his conduct? And how have ſubſequent events contradicted this language? It is ſaid that he was loaded with hard names. I always have underſtood, by hard names, ſome vague and indefinite terms common to all languages, which expreſs only ſomething indefinite and vague in the mind of the perſon who applies them; but have never heard any ſuch names given to this Firſt Conſul. It is alſo ſaid, that we have loaded him with abuſe. If by this is meant the low language ſometimes uſed by the vulgar, I have heard no ſuch language uſed in ſpeaking of the Firſt Conſul. But if, when it is ſaid that invectives have been pronounced againſt him, it is meant thoſe epithets applied to his conduct, and thoſe terms which are neceſſary to expreſs the fact, then I allow that ſuch language has been uſed, and I neither repent nor will retract it. If I did, I would fall into the ſame

error

error with the man who, having loſt a pair of ſilk ſtockings, and wiſhing to advertiſe them, thought that he would be more likely to recover them by advertiſing them as worſted. I deſpiſe, and cannot deſcribe ſuch things in the ſilken language, when the plain worſted only can poſitively deſcribe it. I reprobate ſuch faſtidious, womaniſh, affected delicacy, as if a man could not mention hell to ears polite. Am I ſpeaking of a man who has deſolated Europe? who has excited the indignation of every virtuous mind by his crimes—who has pillaged and plundered Italy, and muſt I affect not to ſpeak of his crimes? his outrageous violence? of his former conduct in Italy, as pillage and robbery? Would Gentlemen have me to be afraid of diſtinguiſhing the conduct of Bonaparte by the terms in which alone it can be deſcribed, like *Scrub* in the comedy, who thinking there were thieves in the houſe, began by calling them the thieves that were in the houſe, but under the impreſſion of terror corrected himſelf, by calling them honeſt gentlemen who were robbing the houſe. It muſt allow that this man has great talent, of ſome kind or other; he has proved this to our misfortune. I ſay of ſome ſort or another, becauſe his military talents cannot be denied. But, at the ſame time, it muſt be remembered, that military ſucceſſes muſt be judged with ſome reſerve, as they frequently are as much attributable to fortune as to talents. Beſides, the Secretary at War ſtated it as his opinion, that the campaign of Suwarow in Italy might be compared to any other campaign, even this ſo celebrated one of the First Conſul. He muſt however allow that there is enough formidable in this man to give alarm to Europe. The moderation and magnanimity of his meaſures ſince he came into power have been much inſiſted upon. The motives of his conduct are in his own mind, and he never would deny that he knows the way to his own ends. This it is that renders him ſo formidable. But gentlemen who are ſo indignant at the invectives pronounced on their favourite, the First Conſul, and the enemy of this country, it will be recollected are not themſelves ſo very mealy mouthed, when they chuſe to cenſure the cloſeſt allies of this country. When they ſpeak of Proſſia, of Auſtria, and of Ruſſia, they themſelves do not ſpare abuſe, nor do they ſhew much tenderneſs when they ſpeak of Gentlemen who ſtand in the ſituation in which he did.

Among other arguments, Gentlemen had contended that it was impoſſible that the preſent Miniſters could make a peace

peace with the French Republic; undoubtedly, in other words, that they could not enter into a ſyſtem of fraternization with the preſent rulers of that country; and it was inferred from thence that the peace muſt be diſadvantageous, becauſe, Adminiſtration would not look to it as an object which was deſirable for the country, but as the leſſer of two evils. The extent to which Gentlemen puſhed their arguments upon this ſubject, appeared to him rather extraordinary; did they think that in negociating for a peace all ideas of precaution were to be laid aſide, and that Government were to confine their views merely to a termination of the war, without any conſideration of the permanency of the peace, or the ſecurity which it procured? Did they conſider a treaty of peace with France as a treaty of marriage in which one party could not doubt the ſincere affection, or the honourable intention of the other, in which the parties were to be indiſſolubly united with an identity of intereſt, and an unity of object—in which England was not only to give its hand but its heart? But, if, for the reaſons which had been urged, the preſent Miniſters were not capable of making a peace, ſurely it became a matter of ſerious conſideration whether it would be more advantageous for the country that theſe perſons ſhould negociate, who would at once, without precaution or ſecurity, jump into the arms of France, who would conſider it as criminal to haggle about terms with the dear French Republic. In the courſe of their arguments, Gentlemen had had recourſe to one conſideration which they very ſeldom omitted, viz. the ſenſe of the people; and they had referred to the funds as a criterion of public opinion. The hon. Gentlemen who uſed that argument, had made an admiſſion for which he thanked him, for he had confeſſed that the funds would riſe upon the proſpect of a peace, even though that peace might be founded on terms diſadvantageous to the country. If that was true, then they could not be conſidered as affording good grounds by which to judge of the real intereſts of the country. If, indeed, the hon. Gentleman's arguments on this part of the ſubject were founded, then indeed there would be reaſon to deſpond, then there would be ſome reaſon for the calumny which the enemy had inſolently thrown out againſt this country, viz. that we were a nation of ſhopkeepers, and that we would at any time ſell our moſt valuable intereſts for a profit of 2 per cent. It was not by acting upon ſuch narrow principles as theſe, that the French had riſen to their preſent power, and had become an object

object of ſo much terror to the Gentlemen on the other ſide of the Houſe. Thoſe Gentlemen weighed the conduct of the two countries by very unequal meaſures. They contended for the greatneſs of Bonaparte and of the French nation, but if they were, it was not by the adoption of ſuch conduct as that which was now recommended, that they became great. If they were in that ſituation which had been repreſented, it was becauſe they were not driven into deſpondency by every reverſe of fortune—becauſe they did not give up great deſigns, becauſe, in ſome inſtances, their efforts were unſucceſsful. Gentlemen had talked of the commerce of the country, but did they ſuppoſe that that commerce was not created by the preſent military and naval exertions of the country, or that it could exiſt without them? Moſt undoubtedly, if our commerce was not protected by our power, it would become an eaſy prey to our rivals. The hon. Gentleman in the courſe of his ſpeech had rather unfortunate for his argument aſked how did King William preſerve the confederacy of which he was the head? he would tell the hon. Gentleman how he preſerved that confederacy together, it was by adhering ſtrictly to his engagements; it was by not ſuffering himſelf to be driven from his purpoſes by the mere rumour of a defeat. But now Gentlemen were at once for going into a Committee, without knowing the circumſtances of that defeat about which they were ſo much alarmed, or without knowing any thing about the diſpoſition or the reſources of that Ally we were going to abandon. Gentlemen had always ſpoken of our Allies as if they had been of no aſſiſtance to this country, but there was no man who conſidered the ſubject fairly, who would not admit that the advantages we had received from our Allies were great, even though in every inſtance they may not fully anſwer our expectations. There was, however, upon this as well as upon many other parts of this ſubject ſomething very ſingular in the mode of reaſoning adopted by the Gentlemen on the other ſide of the Houſe; for in the firſt place, they had endeavoured to demonſtrate the abſurdity of attempting to keep any great confederacy together; and immediately after they conſidered the defence of ſome of our Allies as matter of charge againſt his Majeſty's Miniſters. Another accuſation which had been made, was, that Miniſters had been miſtaken in their predictions; now, in the firſt place, he did not recollect that any predictions had been made. His Majeſty's Miniſters had ſtated, that which was obvious to all the world;

viz. they were going to enter into a moſt arduous and doubtful conflict, but that they were about to enter into it with every advantage from the number and diſcipline of the troops of our Allies, and the ſkill of the Generals by whom they were commanded. Now, in ſuch a conteſt, one party muſt fail, juſt as if two men rode upon a horſe, one muſt ride behind, but no predictions were made, though great expectations might have been formed from the advantages we poſſeſſed. Gentlemen, however, judging by the event, now contended that the Auſtrians muſt have been defeated, but he did not recollect, that before the event, they hazarded any prediction of that kind; they had, indeed, declared generally againſt the war, and now lay hold of theſe reverſes, which they had not foreſeen to prove the wiſdom of their obſervations. His Majeſty's Miniſters knew as well as the Gentlemen on the other ſide of the Houſe, that ſuch a conteſt could not be conducted without danger; but the queſtion was, whether they had not taken every means which human prudence could ſuggeſt to prevent it? Alluſions had been made upon this occaſion, as well as upon many others, to the negociations at Paris and at Liſle. His opinion reſpecting them was but of little conſequence, it could have but little weight in the Councils of the country; but ſurely thoſe very negociations were a proof that Miniſters were willing to enter into a negociation whenever they ſaw there was the leaſt probability of effecting an honourable peace for this country, and they ſhewed that Miniſters did not think that any ſuch opportunity now preſented, or they would not have neglected it. He would, however, ſtate with reſpect to thoſe negociations, that if ever, during the progreſs of the preſent war, this country was really in danger, it was at the period they were carrying on: it was that the enemy would have acceded to the terms which we then propoſed. He was firmly of opinion, that if we had made peace at that time with the general deſpondency which then prevailed, but which ſubſequent events had fortunately diſſipated, that they would not now be ſitting to diſcuſs the ſtate of the nation. Gentlemen recommended Miniſters to enter into a negociation for peace, with a confeſſion that they were unable to carry on the war; but ſurely every rational man muſt admit that a peace concluded under ſuch circumſtances muſt deſtroy the intereſt and dignity of the country. The preſent war had upon this, and upon former occaſions been compared with the American war: he did not ſee how two wars could be compared together, or how Gentlemen could

argue

argue from the paſt events of one, to the probable events of another. The hon. Gentleman had ſtated, that the preſent war, like that with America, was founded in abuſion, had been conducted without ability, and would end in defeat. There was, however, one point in which the two wars were ſimilar, and that was, that they both were civil wars; in which men for the firſt time learned to wiſh well to the enemies of their country. He was ready to confeſs that he was not a well-wiſher to the Americans; *(there was a cry of "hear, hear," on the Oppoſition ſide)* he begged to obſerve to thoſe gentlemen, that if he wiſhed ſucceſs to the Americans, they had been our fellow-ſubjects; they were, he might almoſt ſay, our countrymen: their object was not the complete deſtruction of this country. He confeſſed that during the American war he thought the ſucceſs of the Americans eſſential to the intereſts of this country; and he begged leave to aſk the gentlemen on the other ſide, if they now entertained the ſame ſentiments with reſpect to the French? Upon the whole, the queſtion for the conſideration of the Houſe was, whether there had been laid before them ſufficient grounds to induce them to go into the committee now propoſed, and to interfere with the executive government; they would have to conſider whether, after the event of the negociations at Paris and at Liſle, they ought not to be very cautious how they entered into negociations with ſuch an enemy. It appeared to him that no ſufficient grounds had been laid down for the interference propoſed, and therefore he ſhould give the motion his moſt decided negative.

Mr. *Nicholls* was of opinion, that the tendency of his honourable friend's motion had been altogether miſunderſtood. The object of the motion before the Houſe was rather to avert an impending danger than to urge any charge of miſconduct and incapacity againſt his Majeſty's Miniſters.

If ever there was an occaſion for diſplaying an anxiety for the preſervation of the bleſſings which were enjoyed under the conſtitution of the country, the preſent moment preſented that occaſion. The country was now involved in the ninth year of an unſucceſsful war; and ſurely it was full time for the Houſe to conſider the accumulating dangers and diſtreſs that muſt neceſſarily attend a further proſecution of the conteſt. He had fondly hoped that ſome of his Majeſty's Miniſters, whatever might happen, would be deſirous to put an end to this war, and he ſtill relied on the good ſenſe of two of them (the Chancellor of the Exchequer and Mr. Dundas) for the attainment

of that deſirable object; with the principles upon which thoſe members acted in their wiſhes to prolong the conteſt, he was not unacquainted. All the miſchiefs and miſeries that diſgraced the French revolution had been imputed to the influence of French philoſophy; but ſure he was, whether that charge againſt the French philoſophers were true or not, that the preſent war, and all its concomitant calamities, could only be aſcribed to the doctrines propagated by Mr. Burke, and implicitly adopted by his diſciples. They are only anxious for the reſtoration of the French nobleſſe, and of the old regime of which the nobleſſe were the ſupporters. This is what the hon. Secretary of State had repeatedly avowed to be his object of the war, and for the accompliſhment of which he would have the country obſtinately perſiſt in a *bellum internecinum*. But he earneſtly hoped that theſe ſentiments would be diſavowed by the Chancellor of the Exchequer, and other members of adminiſtration, on whoſe cooler ſenſe he was much inclined to rely. The French, he ſaid, had now attained what was the original object of their revolution, an equality of condition. From the conſciouſneſs of having attained it, they had acquired an energy of character never before poſſeſſed by the inhabitants of that country. They no longer aimed at diſſeminating their revolutionary principles throughout other countries, but were ſolicitous only to maintain that equality of condition they have ſo dearly purchaſed, and which they will not conſent to ſee again reſcued from them by the reſtoration of the nobleſſe, and of the old regime. Yet this was the object for which ſome members of adminiſtration would protract the horrors of the preſent war; but again he would expreſs his ſanguine hopes that ſuch intentions would not be avowed, at leaſt by the Chancellor of the Exchequer. The proſperity and ſafety of the country depended, in a great meaſure, on the iſſue of this night's debate, and he only wiſhed that thoſe who were not diſpoſed to adopt the ſentiments of the Secretary, might vote for the motion of his honourable Friend; if ſo, there would be a large majority to reſcue the country from the miſeries of a *bellum internecinum*, into which that right hon. Gentleman was ſo obſtinately bent to keep the country plunged. What had the people of England to do with the reſtoration of the French nobleſſe? They bore no ſimilarity in character or conduct to our Britiſh nobility. What intereſt could they therefore create among men who were not infected with Mr. Burke's doctrines? His diſciples, indeed, were eager for

their

their reſtoration, but from what motives (he would not ſay it was for a better ſecurity of their cheeſe-pacings) he was rather at a loſs to diſcover. It was ſurely time to forego conſiderations that ſo remotely touched us, and to begin to think and feel a little for the diſtreſſes of the people of England. If we looked to them, we might behold a large proportion of them pining in miſery, and almoſt decayed by famine. Under ſuch circumſtances, ſhould we think a moment of further protracting a war that was in a great meaſure the fruitful and fatal ſource of all theſe calamities? He hoped the Miniſter would ſtand forward on the preſent occaſion, and candidly and explicitly avow his ſentiments. If they were for peace he ſhould have his ſupport, or even if he diſowned the opinions of the Secretary at War, who contends, that if we have ſpent gold we have got blood for it. Was it blood that the people of England were thirſting for? Moſt undoubtedly not; yet the right hon. Gentleman thinks they muſt be ſatisfied, becauſe they have exchanged their money for blood. It was on account of ſuch ſentiments that we had incurred the curſe of Europe. All the northern powers ſeemed diſpoſed to form an armed neutrality, to repreſs our avarice and ambition; and even Germany, whom we are ſubſidizing, execrated our views, as they tended to diſtreſs her inhabitants in the article of food. If ſuch opinions were longer perſiſted in, this country muſt likewiſe feel all the evils they are calculated to produce. Peace only can prevent them. Bonaparte was evidently ſerious in his offers of peace in January laſt; he would be equally ſerious now, for the French have attained all they aſpired to, an equality of condition. He only had to remind Miniſters that the ſentiments they ſhould expreſs that night would be circulated throughout Germany and all Europe. He truſted they would not acquieſce in thoſe that had been expreſſed by the Secretary at War, but that they would manfully and unequivocally diſavow them, as it was in that hope that the preſent motion ſhould have his ſupport.

The *Secretary at War* in explanation, ſaid, that the ſentiments he was ſaid to have expreſſed, would not only be diſavowed by his right hon. Friend (the Chancellor of the Exchequer) but even by himſelf; for he never had uttered thoſe that had been imputed to him.

Mr. *W. Smith* ſaid, that he had been more miſrepreſented by the right hon. Gentleman (*Mr.* Windham) than the right hon. gentleman had been miſrepreſented by his hon. Friend.

Mr.

Mr. *Hawkins Browne* agreed with Mr. Wilberforce in wiſhing that Miniſters ſhould make no avowal of the terms upon which they would make peace, or of their future plans of conduct; but he, as a private member of Parliament, might avow what he had done upon many former occaſions, that he never would ſupport this war, if he thought any change in the government of France were the object of it. He had ſupported it throughout as a war of ſelf-defence; nor could he allow it to be ſtiled an unneceſſary or unſucceſsful war, without entering his proteſt againſt both theſe opinions. He aſſerted that Miniſters had taken all poſſible methods to avert the war, from the commencement of the French revolution in 1789 till February, 1792; and that never any adminiſtration was more deſirous of preſerving peace: documents lately publiſhed, and every new inveſtigation of the ſubject had fully proved this aſſertion. He was confident they had loſt no opportunity of making peace, as they had ſhewn ſo great a diſpoſition to it in two negociations at Paris and Liſle; any further overtures were more likely to retard than promote peace. He enlarged more upon the ſucceſs of the war. He had a moſt powerful enemy to contend with, who exhauſted all the force and all the property of a moſt brave and formidable nation to conquer or depreſs, and plunder every country in Europe, and to raiſe dreadful inſurrections againſt every legitimate government. We could only form a faint idea of the horrors plotted here, by the crimes actually perpetrated in Ireland. We had been ſucceſsful in the preſervation of our domeſtic tranquillity; we had been ſucceſsful beyond all other wars, and even beyond any period of peace, in the ſecurity and increaſe of our commerce, and in the ſupport of the national credit: but he was ſure the Engliſh ſpirit was not ſo degenerate, that the Houſe would not hear him with patience deſcribe a war as ſucceſsful, in which we had only defended our lives, or ſecured our wealth. He would contend, the glory of this country was never raiſed ſo high, as it had been in the whole courſe of this war by our naval triumphs; nor had our generals failed in acquiring their ſhare of honour. If we had been unſucceſsful, it was in the choice of allies, and in part of their conduct, which we could not controul. He ſhould not enter into the ſubject, as it had been ſo ably treated by the Secretary at War. An honourable and laſting peace muſt be the wiſh of every man in the nation; but a vote of this Houſe to force his Majeſty's Miniſters to make peace

muſt

must be laying ourselves at the feet of the enemy: it must be that in any war, but could never be so mischievous or absurd in any war as the present; because we never had so implacable and ferocious an enemy, and because we were never more able to support a war in our just defence, from the height of our public credit, the immense number of our soldiery and seamen, their distinguished and experienced valour, and the universal spirit of a free and loyal people.

Mr. Buxton said, he could see no grounds for going into a committee. On what was the motion grounded, but the accounts brought by the newspapers of the enemy? Was it for the House to institute any proceeding upon any such authority? Besides, it was improper for the House to interfere at so critical a conjuncture. Ministers were undoubtedly as anxious for peace as those who opposed them. They had entered into the war with reluctance, and had anxiously sought every occasion to to bring it to a termination. As to Bonaparte, it was his opinion that the less was said of him the better; the more moderate he became, the more he should be admired; but before the House should consent to any dishonourable and unsafe peace, they should be prepared to die in the last ditch of the constitution. He would oppose the motion as premature.

Sir *F. B. Jones* was ready to allow that the naval successes of the country had been eminently and splendidly glorious; but as true was it that we had been equally unfortunate in other respects. It was said that no proof had been adduced of inability in Ministers. He was as ready to confess as any man, that occasional disasters might be no proof of incapacity; but where failure was uniform, where all the expeditions they had planned, from that of Quiberon down to that against Holland had egregiously and shamefully miscarried, were these no indications of want of ability? Was it not then time for the House to enquire into the cause of all these miscarriages? Various were the subjects that might very properly come under discussion, if the motion for a committee of enquiry was agreed to. It might be moved to address his Majesty not to prorogue Parliament under the present critical circumstances of the kingdom? It might be enquired why so many persons were detained in prison on suspicion of treason without being brought to trial? Besides, the war had now assumed a different aspect from what it had hitherto borne, all the reasons alledged for carrying it on, no longer existed, all the pretended objects of it were removed; and

dreadful

dreadful was the responsibility which Ministers must incur in protracting it longer, especially as experience had plainly proved they could neither conduct a war with effect, or make peace with advantage.

Mr. *Elliot* was determined to support Ministers, and to give them every credit for the conduct they had pursued; for which, in his opinion, they highly deserved the thanks and gratitude of their country. Were it not for their vigilance, and for the timely measure of the suspension of the Habeas Corpus, we should not have a king or a constitution, nor would this House now exist as it did! For the preservation of these blessings we were indebted to the vigour and vigilance of administration; and, as the present motion seemed to have no object but to fix a charge upon Ministers, he would call on the supporters of it to bring that charge directly against them: a motion to that effect should have his support, because he knew the result would be their complete acquittal. By supporting such a motion as that now before the House, we should only be fighting the battles of the enemy. His sentiments were those of an independent man: if he thought Ministers culpable, he would be ready to accuse them as soon as any man in the House; but, as his opinion of their conduct was different, they should have his support; and he consequently would oppose the present motion, which was calculated merely to reprobate their conduct.

Mr. *Hobhouse* thought the question before the House admitted of a greater latitude of debate than some Gentlemen seemed to imagine. As far as he would touch upon it, it should be with no party views: and it was illiberal in any one to suppose that any Gentleman on either side of the House was actuated by such views in the opinion he delivered. He would confine himself to the same object that the hon Mover had in view. He would refer to the disastrous reverses our allies had lately experienced, and ask for what the war was now to be continued? He might be answered—for security: but surely security was a very loose and vague term, and depended on the ideas which he who used it might annex to the word; even the ideas of the right honourable gentleman (the Chancellor of the Exchequer) were extremely fluctuating on that subject. That security at one time was not to be obtained without the re-establishment of the Bourbons, and of the ancient regime of France. At another time motives equally plausible were held out for the continuation of the war. Was it not then of importance

to move for a committee to enquire into the real object of the war? If it was not the restoration of the Bourbons, the proposed enquiry might shew it. The enquiry would next shew what means we had for the further prosecution of the war, and in how different a state the country now stood from what it was in 1794. All our expeditions had since failed; that for the delivery of Holland was attended with exactly the reverse of what was expected. Instead of rescuing the Dutch from the yoke of the French, it had rivetted their connection more closely with what was called their oppressors. We had lost our magnanimous ally, the Emperor Paul, and all the boasted advantages of his alliance. Here Mr. Hobhouse commented on the speech of his Majesty, in which the exploits of the Marshal Suwarrow and of the Russians were so highly extolled; and asked what had now become of all the fruits of these splendid exploits. Italy, that was then regained, was now lost; and the Emperor, who was so generous a friend, was now, perhaps, on the eve of being our enemy. We had sent arms and money to the Chouans; but instead of their being turned against their new tyrants, they were wielded in their defence. Were not all these disappointments and reverses a fit subject for Parliamentary enquiry? Whatever side we looked to, there was scarcely one ray of success to cheer the big cloud of disasters that hung over us. Seeing, therefore, as the House must see, that Ministers had been as daring in their projects as they were impotent in the execution of them, he was at a loss to know how the proposed committee, which might inquire into the causes of such multiplied miscarriages, and endeavour to prevent them for the future, could decently be rejected.

Mr. *H. Addington* contended, that the proposed enquiry was unjustifiable at the present crisis; as well might it be proposed to call Ministers to the bar of the House, and ask them what were the objects of the war? With the answers to these questions surely the minds of gentlemen must have long since been saturated. In all these discussions an offensive and a defensive war were confounded. A defensive war would have no specific object. In this point he would only say, with a wise man now no more, "that times and occasions must teach their own lessons." Besides, no attempt had been made by the supporters of the motion to make out a case. The motion solely rested on French intelligence, and this all on one side. Yet, what did even that intelligence amount to? A convention was agreed to, by which several

fortreſſes were delivered up to the enemy, and the Auſtrians were allowed to retain in the Milaneſe, where they had ſtronger poſitions, which formerly they were happy to occupy. This would afford ample means for an adequate defence, and while fortune might again declare herſelf in their favour, was it for us to deſpond and diſpirit their exertions, and give up the conteſt without any further ſtruggle? Was it a fit deſcription for the Britiſh Houſe of Commons to come to on ſuch an emergency, and have only to ſay—

Orantus pacem, ut dextras tendamus inermes!

We muſt deprecate ſuch humiliation and diſgrace. The preſent conteſt had been compared with the American war; there was no room for the compariſon: againſt that war there were numberleſs petitions before the Houſe; againſt the preſent war there were none on the table. This was not a ſubject idly to declaim upon. The real friends of peace were thoſe who were for proſecuting the war with vigour. Thoſe who talked lightly of it, only rendered the dangers they deprecated more formidable. He muſt therefore oppoſe the motion.

Mr. *Sheridan* contended that of all thoſe who oppoſed the motion, not one had made a direct argument againſt it but the hon. Gentleman who ſpoke laſt. That hon. Gentleman ſays that no caſe has been made out in favour of the motion: others who oppoſed it affect to miſunderſtand its tendency. The motion, in his opinion, was no more than this—A new and extraordinary criſis has occurred; ought the Houſe, or ought it not, to hold itſelf in a ſituation to meet the important intelligence that is hourly expected, and to give ſuch counſel to his Majeſty as the nature of that intelligence may require? It was with this view that on a former day he had made a motion for a call of the Houſe, that the whole of their wiſdom and attention might be awakened to the magnitude of the ſubject that was to call for their deliberation, and that they might no longer perſiſt in repoſing a blind confidence in meaſures that uniformly prove unproſperous. He was ready to agree with his hon. Friend (Mr. Nicholls) that much depended on the debate of that night. The character of the Houſe depended upon its iſſue, and ſo far it involved the ſalvation of the country. It was admitted on all ſides that a great and material change had taken place in the poſture of affairs: but it was doubted, the account of that change reſted only on the faith of French newſpapers. Was it then doubted, and are we to be told to wait for a few days till we

are in possession of official information? It was also said that only one battle had been lost. Yes—but that battle had been attended with greater consequences than perhaps any that had ever been fought since hostile armies had contended in the field. Had the consequences of that battle not been disastrous in the extreme, would Melas have sued for a capitulation? would Bonaparte, unless from generosity, have permitted him to retreat? But this is not enough—we seem to want still worse, and worse perhaps we shall have. Kray may perhaps be in the same predicament with General Melas—will that be bad enough to satisfy us? But it is said, there are no petitions on the table against the continuance of the war. In the first place, that is no reason for not entertaining the present motion; the country at large may wait for the official accounts, to regulate their conduct; but that House ought to be always in readiness to deliberate upon the earliest intelligence of any emergency. Will it then be said that the country is not sincerely anxious for peace? Will it be said that they would not petition for it, if they dared to embody? Shall their situation during the American war be compared with what it is at present? The people are now gagged, or they would speak. They were then free to speak, and they spoke loudly.

Another Gentleman chooses to insinuate that we are fighting the battles of the enemy, by bringing forward the present motion. Was it, then, to fight the battles of the enemy, to remove those to whose incapacity the enemy owed their triumphs? Was it fighting the battles of the enemy, to infuse a fresh spirit into the country, by which these triumphs might be repelled? When the hon. Gentleman throws out these suspicions, he tells the House he is speaking the language of *independence*. It might, perhaps, be doubtful that frequent assertions of that nature were the best means of establishing the fact. What was the use of speaking so often of independence, at least where it was not known to be a marketable commodity? It was like talking much of chastity and virginity, which might often be suspected to expose a wish to have them put to the trial.

Another hon. Gentleman (Mr. H. Browne) very gravely insinuates the hope that they should content themselves with placing their confidence in Ministers. This was the first time such confidence was looked upon as what the whole House should be laid upon, in a crying occasion like the present. And what justified this implicit confidence? Why,

the total and complete failure of every project in which these Ministers have embarked. Yet not a word of excuse is offered to the country for all these failures and disappointments. Things only turn out otherwise than they wished. They promise an insurrection in France to favour our invasions, but the royalists make no stir. The greatest advantages are to be derived from Russia, and its magnanimous Emperor. The magnanimous Emperor has abandoned our alliance, and is now rather disposed to be our enemy than our friend. But notwithstanding these, and numberless other disappointments, we are told, Let Ministers alone; confide in them, and they will set all right. Nothing can be so unmannerly as to call them to any account, or bear hard upon them. Is this then the language which gentlemen intended to hold to their constituents immediately when they separate? But again we are told that such motions only tend to degrade the country, and to lay England prostrate at the feet of Bonaparte. While they say so, these gentlemen begin to forego their abuse of that great man. They now acknowledged him to be such. Still, however, they would damn him with faint praise, and are eager to keep up a semi-bluster against him. Hard words will go for nothing, according to a right honorable Gentleman (Mr. Windham), when there is a question of making peace between two great nations. For both France and Bonaparte are now acknowledged to be great. Perhaps indeed it may be true that hard words may not prevent the making of peace between two nations more than between two individuals. We have heard that right hon. Gentleman (Mr. Windham) make use of many cowards, &c. in speaking of another right hon. Gentleman (the Chancellor of the Exchequer), but that has not prevented a sincere, a lasting peace, from being concluded between them. It were to be wished that so good a peace were now concluded with Bonaparte. How sincere their peace might be he was not prepared to say, but it appeared at least to be sincere enough for all parliamentary purposes. But it seems it would degrade and depress the country to accede to the present motion; what, if the reign of blind confidence is to be no more, if the House, wearied and disgusted with deceits and disappointments, resolve seriously to enquire into their causes, and determine to watch the conduct of those who have betrayed them by these deceits, if sensible of the dignity and wisdom that ought to characterize their proceedings, they make it a point to give advice and counsel to the crown, where advice and counsel

But to

to the crown are urgently called for; will this be degrading themselves, or dispiriting the country? On the contrary, while they assert their own dignity, will they not nerve the people with new vigour? and thus will they not rather intimidate than encourage the enemy? Acceding to such a motion may, however, alienate and indispose our allies. But who were our allies? We had now but one; and that one may soon cease to act against France. What now did all our expeditions amount to, from that to Quiberon to the expedition against Holland? Whilst we are only nibbling at the rind of France, Bonaparte, with giant strides, was penetrating through the heart and vitals of the allied countries. And in nothing were we successful but in our maritime exploits, which not a naval pillar, but even the broadest pyramid was not able to record. But he must now advert to another circumstance; which plainly proves the country wishes for peace at almost any price. If Generals Kray and Melas are defeated, the funds are known to rise; and why? because in proportion as our allies are subjugated and disabled from co-operating with us in the war, the nearer is the prospect of peace. Yet we are told they do not repine, that they are satisfied, because they have got blood for their money. If this were true, the people of this country would be reduced to a vile situation indeed: but fortunately it was not so, for none could think so, but placemen, contractors, jobbers, and all that heartless crew who set more value on money than on the lives of their fellow creatures. Mr. Sheridan then proceeded to animadvert on the attempts made by Ministers to treat with the enemy in 1797. They were then said to be sincere, and the treaty has since gone under the name of the sincere treaty. But what have they since said? Have they not avowed that, if that treaty succeeded, it would have been the greatest calamity that could have befallen the country? They attempted peace then, because the people wished it, because the people were disheartened at seeing no such attempt made. May they not attempt it again, and that only to impose on the people a second time? The situation of affairs was not much altered from what it was in 1797, if a Committee was appointed, it might therefore enquire into the advantages or disadvantages that might arise, but above all, it should be seen that a peace is sought for in the spirit of reconciliation. Without such a peace we should cease off fighting for a time. Our principles would not be removed, for even France has abandoned her jacobinical principles, and we should throw off our prejudices against her.

But

but the right hon. Gentleman (Mr. Pitt) cannot view peace in this light. He fears an emigration of clerks, or rather one prompted by mercantile speculation, or a desire to escape his Income Bill, and many other such payments. There might justly appear difficulties to him; but certain it was that every hour peace was deferred, the inducements to emigration would encrease, and consequently the dangers he apprehended would be aggravated. Then peace could only be a blessing when it was a sincere and conciliatory peace. This was the peace the people looked for, and in endeavouring to accelerate and obtain it, Parliament would express the real sentiments and wishes of the nation. Their concurring in the motion now before the House would be the first step towards the accomplishment of that desirable object.

The *Solicitor General* said, the measure proposed would aggravate the evil its supporters had described, and would frustrate those ends which they professed to have in view. It would render it impossible for us to conclude an honourable peace, or to carry on a successful war. A great variety of reasons had been assigned to shew the necessity of this Committee. By one honourable Gentleman it was said to be necessary to check Ministers in their disastrous career; by another, to enquire into the causes which produced our disasters; by a third, to force Ministers to an immediate negociation with the enemy. The hon. Gentleman who had just sat down had in the beginning of his speech said, that the Committee would be merely a Committee of vigilance, and solely constituted to keep Government upon the alert, and to enquire into the manner in which affairs are conducted. But towards the close of his speech he had displayed his true sentiments with regard to the intention and functions of the Committee, and by so doing had proved that the formation of such a Committee would be highly inexpedient, and even noxious. He said it was to force Ministers to make peace. What good could possibly arise from using force for such a purpose? Was it probable, that they would enter cordially upon the task, or successfully perform it? The proposal of that Gentleman was infinitely more rational, who said, that Ministers, being unworthy to fill their places, should be removed without delay. This Committee of Vigilance to be of the least efficacy, must trench upon the prerogative of the crown, and take the lead in all the measures of the Executive Government. Could a negociation, thus conducted, come to a favourable issue? You declare to the inhabitants of this country,

country, and proclaim to foreign nations, that you have no confidence in those by whom the Government is conducted; that you think them weak, foolish, arrogant men, whose demands are as exorbitant as their merits are inconsiderable. In what situation would the person be who was deputed by them to negociate? He might as well have letters of discredit sent along with him, it might as well be told to the enemy that your ambassador has in no degree your confidence. Bonaparte, allowing him but a small portion of the talents with which he is certainly gifted, would easily see that he had us at his mercy. He would conceive himself told by the British nation not to yield to the terms demanded of him, as Ministers would thus be declared to be extravagent in their expectations, and unwilling to make peace on moderate conditions. He did not want the discernment and shrewdness to profit by such information. If then the committee would not only be productive of no good, but would produce much positive mischief, should it be formed merely to enquire how the King of Prussia came to desert us, after he had taken our money; how we were unsuccessful in Flanders; how Holland came to be invaded; and other subjects of a similar nature, when such enquiries could only satisfy curiosity, and when they can be so easily carried on by any gentleman in his individual capacity? For such enquiries as these it was proposed to infringe upon the prerogative of the crown, and to prevent his Majesty from proroguing Parliament when he shall think it expedient so to do. The only remaining reason for the committee then could be, the events which had recently happened. What event had happened that shewed the expediency of such a measure? The campaign had been unsuccessful, but Ministers were not to be blamed for that ill success, and it by no means proved that they should be forced to negociate. The only ground which could be stated was, that we were afraid lest they should neglect a favourable opportunity. But this apprehension could not be founded on their past conduct. They entered into negociation in 1797, when circumstances were far more favourable than at present. Was it then probable that if there was at present, or should be at any future period, a desirable opening, that they would allow the opportunity to slip unimproved? If, from any thing which has happened, Ministers had made any offer to the enemy, they would have disgraced themselves in the eyes of this country, of Europe, and of all posterity. It would have been laying to our allies, we

will fight with you as long as you are victorious, but the moment you meet with the least disaster, even before we know the amount of it, or the means you have of repairing it, we instantly desert you and fly to Paris, that being the first we may obtain the best terms from the hands of the conqueror. The conduct of Ministers in persisting with ardour in their laudable exertions was much more dignified, and much more politic. Although the worst should happen, and we should be left to struggle without an ally, we had the consolation to reflect that we had been in similar circumstances before, and certainly ought to know that if we remain undismayed, and courageously use the means of defence in our power, we have nothing whatever to apprehend. Much had been said of the gigantic genius of Bonaparte, the grandness of his designs, and the unexampled ability he displays in executing the plans he has concerted. These gentlemen seemed to think we had nothing to do but to compliment the talents of our adversaries. At a proper time, and in a proper place, he would be as ready as any one to bestow upon them their just tribute of applause, but he then and there had another thing to do. Would it be proper for a general, when a hostile army was advancing to attack his own, to make his men stop to admire the fine discipline and admirable arrangement of the enemy, instead of attempting to raise their courage, and leading them on to the engagement? The talents of Bonaparte should be considered only as an incentive to our courage, activity, and perseverance. What could be more dangerous, as well as disgraceful and humiliating, than to acknowledge that we cannot look at his abilities and power without being dazzled, without being disheartened, without seeing the necessity of having recourse to unconstitutional means to implore his mercy! If there was anxious desire in this country for peace, for peace in general, without attending to the nature of it, whether it is honourable or disgraceful, secure or unsafe, then was our situation desperate indeed; then indeed the French would be our legitimate masters. We had suffered much, but France had suffered infinitely more; and had she taken arms to defend her liberty and independence, as she did to destroy those of other nations, he would have given her credit for the motives she had made; that she had abandoned her exhibitions and manufactures, and all those arts which enrich a nation, and those accommodations which add to the enjoyment of social life. For liberty and independence too much could not be

lacrifice. A wicked Minister might like to see such a seditious spirit in the nation, as he would then be freed from numberless embarrassments, and might without difficulty gratify the people. Such a Minister did not now exist, and if he found all his efforts to excite the national spirit ineffectual, he would retire to obscurity, nor would submit to settling the terms of our humiliation, or adjusting the mode of our fall. He hoped there was no reason for this reproach being cast upon the country. The funds had risen of late, but they had been gradually rising for some years past. These had been conceived that we engaged in the war for independence, cannot regret that we engaged in it, looking to all the misfortunes which had occurred in the course of it, the debts we had incurred, and the burthens to which we had subjected ourselves. For his own part, he never had repented of a single vote which he had given, although he had constantly given his vote for persevering in the contest. He thought that it should have been soonest undertaken, as the designs of France had been long before manifested, and were such as fully to justify us in denouncing the attack. The war had not been successful, nor was it yet indecisive: we fought for our independence and our constitution, and those invaluable blessings we were still in possession of. Had we struggled in vain we should have been deprived of both, and might still be deprived of them if we yielded with cowardice and pusillanimity. We ought still to persevere; there only remained to consider how to pursue when one had engaged in a pursuit of any object, if it did not give all he aimed at, or even that in which it was probable. The constant declarations of the country had been for peace; when we were successful, it was asserted that enough had been done, and when we were unfortunate, it was declared that the cause was hopeless, and that we ought in despair to desist from our endeavours. When we had allies, it was said that allies were unfaithful; and when they deserted us, that nothing could be done without them. Such conduct evidently displayed either folly or treachery, and the people of England were resolved to condemn and never would abuse them. If it was for the interest of this country to negociate, they would willingly do so; if it was not, it could do no good to make them negociate by force. Peace was much desirable, but might be purchased at too dear a rate. The principle he generally had laid he would not give an opinion as to the propriety of making [illegible] Would

he not allow Ministers a moment's hesitation? It was said France was ready to grant reasonable terms of peace, because the object she had in view had been attained, and she was now in possession of liberty and equality. This put him in mind of a line in a popular ballad—

"I have made you all equal, and myself a King."

France was in reality under a Government most completely despotic, and was as distant from liberty and equality as the first day she entered on the pursuit of these objects. Perhaps he had encroached, he said, upon the patience and the time of the House too long. What he meant to say was, that this measure was inexpedient in every point of view, as it would be productive of no benefit, and would even prove destructive to the objects which the supporters of it themselves had in view. It would delay the arrival of peace, and render peace dishonourable and insecure when it arrived.

Mr. *Tierney*, in a long and able speech, supported the motion. He denied that the tendency of this motion was to lay us at the feet of the enemy, or to exhibit us to Europe as paralytick at a reverse of fortune. If such could be the construction put on it, he should be one of the first to oppose it. The object of the motion was neither so unusual or so unparliamentary as had been represented. The present, indeed, was a moment that might justify a departure from rigid formalities. It was, indeed, a new thing that after eight years of war, a proposition from the enemy was rejected with insolence. The real end which the motion was to serve was not to interfere with the Executive Government, not to cramp the future operations of Ministers, but to investigate the past, to enquire whether Ministers had not deceived Parliament last February, into an approbation of their conduct, not merely by absurd speculations, but by fallacies, with which they were perfectly acquainted, such as the hopes held out from the assistance of Russia, the perseverance of the Emperor, and the efforts of the discontented in France. If it should appear on enquiry, that the House had been so deceived, one of the first resolutions in the Committee, if it were agreed to, might be to reprobate the conduct of Ministers in betraying the country into a continuance of the contest, upon false pretences and unfounded representations. Mr. Tierney then quoted the Chancellor of the Exchequer's printed speech, in which the latter asserted as grounds of ultimate success, the co-operation of Russia, the Emperor, and the discontented in France; at all events, if our friends

was not so complete as we had a title to expect, at least our situation, in comparison with that of the enemy, would certainly be improved by the prosecution of the contest. Every one of these facts had turned out directly contrary to the Minister's statement; and lamentably true it was, that our situation, in comparison with that of France, had become very greatly worse. With respect to the Emperor of Russia, the Minister when he gave these assurances, must have been acquainted with his defection, and must have known too, that the Emperor of Germany refused to connect himself with our plans; to enter into treaty, or even to receive our money. For these reasons a very fit resolution in the Committee would be to enquire into the grounds which induced Ministers to advise his Majesty to refuse to listen to the overtures of Bonaparte. It was said, that some Gentlemen opposed all continental alliance, and then when our allies dropped off, represented our affairs as going to decay; there certainly was no contradiction there. Gentlemen might oppose continental connections in continental wars, foreign to our interests; but surely, when their allies dropped off without yielding any stipulated service, clear it was that to any continental purpose our affairs were declining; at least those who calculated on continental achievements, must admit that they had nothing left to hope. He did doubt the sincerity of Ministers for peace. When they talked of choice of evils, it was evident they could not heartily negociate—they could not conciliate. They, of all men in the kingdom, could not negociate without dignity. They had insulted Bonaparte, they had professed sentiments irreconcileable with peace, and if they proposed terms they must appear humbled and subdued. For this reason he thought that other men not labouring under these objections, men who believed peace to be a blessing to their country, might negociate with advantage. In thus arguing for peace, was it to be inferred that he was afraid? No; but it was proper to be cautious. It was proper for every man in this country to think seriously when Ministers were planning and executing new expeditions, after the example of prodigality and disgrace which their last attempts had produced. He saw no utility in their expeditions; they must be for continental objects, and could never be attended with any advantage to England. Far from forcing Ministers to negociate, far from seizing on the executive prerogatives in a Committee on the State of the Nation,

tion, which, in ſomewhat unparliamentary language had been called a Committee of Vigilance, he ſhould be diſpoſed to do nothing more than undo what Miniſters, on falſe pretences, had induced the Houſe to do laſt February. He would follow the example ſet by an hon. Gentleman under the gallery, ſome years ago, Mr. Wilberforce. (I wiſh, ſaid Mr. T. he were awake to hear me.—I am ſorry to diſturb the hon. Gentleman's repoſe.) He ſhould prove only in the ſhape of a reſolution that there is nothing in the preſent government of France to preclude negociation, and with that he ſhould content himſelf. Far from forcing Miniſters to negociate, he ſaw no good effect their negociation could have, as he diſtruſted their ſincerity, as Bonaparte muſt naturally do. He truſted that Bonaparte would ſhow himſelf ſuperior to that deſire of revenge which the perſonal injuries he had received might prompt. Indeed if he wiſhed revenge, he muſt enjoy that gratification in conceiving the mortification of the hon. Gentleman at the diſcomfiture of all his plans, and the failure of all his predictions. No doubt, however, he muſt entertain a doubt of the ſincerity of thoſe, who after aſſailing him with every abuſe ſhould ſolicit him for peace. The right hon. Gentleman, therefore, though he went upon ſtilts, muſt go begging for peace, and how he was likely to ſucceed impartial men might decide. Mr. Tierney concluded with ſeveral other obſervations in ſupport of the motion, and ſtrongly called upon the Chancellor of the Exchequer to riſe, and juſtify his conduct.

The Houſe then divided,

Ayes	27
Noes	143
Majority	116

Adjourned at half paſt two.

HOUSE OF LORDS.

THURSDAY, JULY 10.

LONDON FLOUR AND BREAD COMPANY BILL.

Mr. Glover, from the Cuſtoms, preſented the following account of Foreign Wheat imported into the port of London from the 1ſt January, 1781, to the preſent time, diſtinguiſhing the imports of each year:

Quarters.

	Quarters.	Bushels.
1781	98270	0
1782	4835	6
1783	24612	4
1784	38000	5
1785	605	0
1786		4
1787		6
1788	4	5
1789	5908	0
1790	57032	0
1791	49564	5
1792	7065	5
1793	170071	3
1794	10854	5
1795	198011	5
1796	477877	6
1797	195462	6
1798	152449	0
1799	238208	4
From Jan. 5, to the 21st June, 1800	222757	0

JOHN GLOVER,
Pro-Inspector of the Imports and Exports of Great Britain.

Inspector General's Office, Custom-House, London, July 10, 1800.

There was also a list presented of the subscribers to the new company, specifying the amount of their several shares. These were ordered to be printed.

Counsel were then called in, and Mr. Plumer was heard on the part of the millers against the bill. The House, desiring to have the witnesses called to the bar, instead of taking the printed evidence from the table of the House of Commons, the further hearing was postponed to Monday next, when counsel were again ordered to attend.

The Duke of *Norfolk* said he lamented that he had not, before counsel were heard at all upon the subject of this bill, given notice of a motion which appeared to him to be essential to make, even at the present stage of it—which was, not to proceed further in a measure of such consequence at this very late period of the session. His Grace thought that they could now go into the merits of the bill; and if he was yet in order, he should with on Monday next to move to postpone

pone the ſecond reading of the bill for three months; and he moved that the Houſe be ſummoned for that day.

The *Lord Chancellor* ſaid, that having begun to hear counſel on one ſide, he did not think that they could now regularly interrupt their proceeding in their caſe.

The matter was ordered to ſtand for Monday, and the Lords ordered to be ſummoned.

BILL RELATIVE TO FOREIGN RELIGIOUS ORDERS, OR COMMUNITIES, LATELY SETTLED IN THIS KINGDOM, &c. &c.

The order of the day for the ſecond reading of this bill having been moved, the bill was read a ſecond time.

The *Biſhop of Rocheſter* then roſe and ſaid, he did not oppoſe the reading of the bill a ſecond time, becauſe at that period of the ſeſſion, it ſeldom happened that there was a very full attendance of Lords on their Parliamentary duty, and when the day for the ſecond reading of the bill arrived, thoſe Lords who did attend generally took up the prints from the table, but the moment before the order for the ſecond reading was moved, they could not therefore be ſuppoſed to know what the nature and proviſions of any bill were before it had been read a ſecond time. The bill having, however, now been read a ſecond time, he had a right to conclude that noble Lords were maſters of it, and to proceed to ſtate on what grounds he roſe to oppoſe it as a bill altogether unneceſſary, dangerous, and unconſtitutional, which he would do as ſhortly as poſſible. His Lordſhip ſaid, in conſequence of the moſt antichriſtian perſecution that ever hiſtory had inſtanced in a neighbouring kingdom, great numbers of the clergy of that kingdom, as well ſecular as thoſe belonging to a variety of religious orders and inſtitutions, had been forced to ſeek, and, ſeeking, had found refuge in this hoſpitable, humane and charitable country, whoſe proteſtant church made it the ſafe and ſure aſylum of the perſecuted and oppreſſed at all times, and on all occaſions. It would have been a degrading departure from the noble and truly honourable ſpirit of the national character, if we had not with open arms received under our protection, ſuch a body of unfortunate men as the clergy of France driven from their native kingdom, their profeſſional duties and eſtabliſhment, by the fell rage of revolutionary violence and jacobinical fury. Much to their credit have their reſidence among us, theſe exiles had conducted themſelves

selves inoffensively, and in such manner as to warrant and entitle them to the protection they had received. He had not heard of any attempts on their part to fly in the face of the laws of the country, or to afford ground of jealousy or apprehension to the Government, by any designs to disturb its tranquillity, or to take any steps to endanger its safety in its civil or religious establishments. He saw, therefore, no occasion for any fresh law to prevent or guard against mischiefs, which were not even apprehended, or if there were any cause for their apprehension, were amply provided against by the existing laws. His Lordship said, that in consequence of the grounds of alarm against Roman Catholics and popery that have of late years gradually worn away in this country, its natural proneness to toleration, as far as it could be allowed with safety to church and state, and the mild principles of our Protestant persuasion, and of the mind and Government of the prince upon the throne, and his immediate predecessors, several acts had passed for the relief of Roman Catholics from the severe penalties to which they stood exposed under the act of James the First, and the first of William the Third, and various preceding statutes, but that nevertheless the relief granted them in those acts were rather confined to particular clauses of the particular statutes to which they referred, than to those statutes in general. All the penalties, therefore, enacted by former laws, which were not specifically repealed, were still in force against Roman Catholics, and it was expressly provided by the present Bill, that every member of such religious orders and societies (as were mentioned in the preamble of the present Bill) were still to remain and be deemed to be subject to the Alien Act in all its provisions, and continue to be so deemed. What end then could it possibly answer to be making and passing a new, unnecessary, and nugatory law, when the existing laws, if duly enforced, were fully adequate to every purpose of prevention and punishment, if any attempt were made to provoke the vengeance of insulted laws? Even if those Roman Catholics who had profited by the relief afforded them by the nineteenth and thirty-fifth of the present king, did any thing disorderly or that exceeded the specific relief thereby afforded them, they were liable to the penalties of the unrepealed penal statutes against Roman Catholics, and ultimately and in all cases subject to the disposal of the Alien Act, which referred equally to foreign Roman Catholics in this country and to his Majesty natural born subjects.

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The Bishop went into a minute historical detail of the various penal enactments against Roman Catholics, which were to be found in different statutes from the reigns of Henry the Eighth and Elizabeth, down to those of William the Third; and after pointing out such of them as were repealed by the Acts of the nineteenth and thirty-first of the present King, stating what penalties still remained unrepealed, which from their nature and severity were sufficient to deter Roman Catholics from all the acts, from the performance of which they were specially restricted by this Bill. He read a list of the several religious institutions that had taken up their residence in different counties in this kingdom, which he mentioned, four of which only consisted of male foreigners, amounting to thirty-one persons; and others of females, amounting to twenty-four. The number of monks and nuns in this country could not reasonably excite alarm, and being scattered through several counties of England, were, both from their known want of power and want of means, incapable of injuring society. The Rev. Prelate enumerated the individuals of the several classes of monks, such as the English Benedictines, the Dominicans, the Carthusians, the Franciscans, &c. of whom only four are French, the remainder being natives of this country. If then their number was so limited, if their pronenefs to a life of folitude and eafe was not to be queftioned, what real neceffity was there for a Bill like the prefent, efpecially while there were penal laws exifting to correct abufe. The nuns were fome old, and fome young ladies of exemplary abhorrence to the loofer and gayer pleafures of the world. They had taken the veil according to their prejudices or their habits, but was that Houfe quite certain that the caufe of religion would be advanced, its intereffs promoted or fecured, by the fuppreffion of an order of females whofe follies, if they were fuch, were confined in their influence to the purlieus of the nunnery. His Lordfhip faid, that againft Roman Catholics, natural born fubjects of the king, he knew of no ftatutes that would apply; they had a right to refide here provided they did nothing contrary to the law of the country. He faid there could be no danger in the nunneries, as they were now conducted, becaufe thofe ladies who had been driven from the convents of France to England, took a houfe or houfes, in fome county or other, and lived together in reclufion and conformity to their religious habits, cuftoms, and ceremonies. Such people were generally perfons of families of fafhion, well educated, and wholly unfit

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to mix with the lower orders and ranks of the people. They sought relief, and founded their only satisfaction in the quiet performance of their religious duties, and in conformity to the orders and acts of their institution. To turn out these ladies to mingle with people of fashion, and join in the dissipation and luxurious pleasures of modern times, would be to expose them to the severest martyrdom. They could not condescend to smear their cheeks with vermillion, to expose their necks and arms naked to their shoulders, and to dedicate their nights to noise and revelry, either handing out cards at Loo, or shaking dice out of a dice-box, and go through all the other practices of a fashionable rout. Living as they did they lived happy and harmless; for surely no danger was to be apprehended from a number of old and young women living secluded in a house by themselves. Much was said of the policy of preventing an acquisition of nuns to those convents, and undoubtedly, if the prevailing disposition of the sex were domestic retirement, there might be some reason to apprehend that a severely religious education would engender a wish in some minds to take the veil. But no noble Lord knew so little of the vivacious, ardent spirit for which the sex is at present so remarkable, as to be led to suppose that the women of England will, in any great number, take the veil. [*A laugh.*] Were the Roman Catholic Institutions in taking children to educate, he had been solemnly assured that they took only the children of Roman Catholics. He was glad, therefore, that they had come to reside here; because he had ever considered it as a cruel and an unwise policy to prevent Roman Catholics' children from being educated in England, as the consequence was, the parents of all the children of families of that persuasion (many of them the first families in this kingdom) were heretofore obliged to be sent abroad for their education; now they could be educated at home; and no man will dispute, that a Roman Catholic education at home in England was much more likely to be attended with less dangerous consequences, than a Roman Catholic education in a Catholic country. That the priests of that country might wish to make converts he did not pretend to deny; it was natural for every man who had a religion, Roman or Protestant, to be zealous to make converts to that religion which he thought concerned the soul's safety; and would be conducive, in his judgment, to secure the best and future interests of his fellow-creatures. By "every man who had a religion" he meant those Christians who acted up to the thirty-nine articles,

ticles, and the confeſſion of the Saxon churches. Thoſe who conformed to the ancient diſcipline of the Proteſtant Church, as ſettled at the Reformation; not thoſe who wiſhed to reform further, who denied the divinity of Our Saviour, who compared the ſon of Mary to Socrates, who wanted to get rid of the Athanaſian Creed, and denied the efficacy of grace as a means of ſalvation; he gave ſuch men little credit for zeal. But if the Roman Catholics in general felt a zeal to make converts, the law of Great Britain had provided the means to reſtrain and keep it in order within the Britiſh dominions; and he had no doubt but the unfortunate French prieſts, to whom we had afforded protection, had a prudence to forbear any conduct offenſive to the laws of that country, in which they had found refuge With regard to profeſſion, the Biſhop ſaid with the ſtricteſt enquiry, he had found but two inſtances, and thoſe of two young ladies who had been noviciates in convents abroad, with a full intention to take the veil. [He was proceeding to ſtate the place and nunnery in this country, in which they had profeſſed, when he was called to order by the Lord Chancellor, who ſubmitted to the right reverend Prelate whether as the facts he was ſtating were highly illegal, and liable to exemplary puniſhment, it was proper to draw the attention of the public to the exact place where ſuch facts had paſſed; at leaſt, whether ſuch information ought to be given within the hearing of thoſe below the bar?] The Biſhop thanked the noble and learned Lord for his hint, and ſaid, he would barely ſtate generally that the ladies allowed to profeſs, had been noviciated in convents abroad, with a view to take the veil; but that the convents being driven here, they had followed, profeſſed, and taken the vows here. It was neceſſary, however, to add, that the ſuperiors of the nunneries had been extremely angry at ſuch imprudent conduct, and had taken great pains to guard any ſuch thing happening again.

After much more obſervation and detail, to prove that the Bill was unneceſſary, and that the exiſting laws, if neceſſary to be enforced, were fully adequate to any poſſible evil to be apprehended from the Roman Catholics in this country, his Lordſhip came at laſt to prove that the Bill was unconſtitutional and dangerous, by means of the alarming power it would put into the hands of the crown. Immediately after its preamble, it made it "lawful for his Majeſty, his heirs and ſucceſſors, to grant licences to ſuch religious orders or communities, profeſſing the Roman Catholic Faith, as were in this kingdom, to continue to reſide therein during the continuance

tinuance of the preſent war, and one year after (a pretty large leaſe he was afraid!) and to perform and obſerve, within their reſpective houſes, the rites and ordinances of their reſpective inſtitutions; any law or ſtatute to the contrary notwithſtanding." Had noble Lords conſidered what were the rites and ordinances of the Roman Catholics, and the enormous power this enactment gave to the crown? Penance was a rite and ordinance of Roman Catholics, and would his Majeſty expoſe any of his ſubjects to corporal ſeverities, which were ſometimes ordered and inflicted among other acts of penance? Beſides, the ſuperiors of thoſe religious inſtitutions muſt have the authority of the Pope, by the medium of his bull, for ſanctioning ſuch diſcipline. Would they allow the Pope's bulls again to come into England, and give the crown a ſuſpending power, for ſuch it would have with reſpect to all the various and expreſs ſtatutes that had been paſſed againſt the authority of the Pope in this country? After laying conſiderable ſtreſs on this point, the Biſhop ſaid, there was one clauſe of the Bill to which he owned he ſhould feel no objection, were it not for the other parts of the Bill with which it was connected, and that was the clauſe obliging Roman Catholic ſchoolmaſters to return yearly at the general, or general quarter ſeſſion of the peace, a liſt of the names of ſuch perſons individually as are or have been boarded by them, with the name and place of abode of their reſpective parents or guardians. Such a regulation, his Lordſhip ſaid, he ſincerely wiſhed extended to all ſchools, thoſe of the Proteſtant Diſſenters, as well as thoſe of the Roman Catholic Diſſenters; for he believed we had much leſs to dread from the latter than from ſome of the former, in whoſe ſchools the doctrine of jacobiniſm, ſedition, and infidelity were but too frequently inculcated, to his certain knowledge; and in ſome of their ſchools, under the name of charity ſchools, Sunday-ſchools, and ſchools to *enlighten* children in and about the metropolis. As the law now ſtood the maſters of ſuch ſchools had nothing to do but to make general profeſſions of their belief in the principles and conformity to the practice of the Proteſtant Church, and then were left to do infinite miſchief by poiſoning the minds of the growing generation. He hoped, in a future ſeſſion, that Parliament would turn its attention to this truly important object, of the attempt of the Roman Catholics to take the children of Proteſtants to educate in the tenets and practice of popery he had little apprehenſion, becauſe, if ſuch an attempt were made the whole park of the artillery of the exiſting laws would immediately

mediately be pointed againſt ſuch as offended in that manner, and there would be no difficulty in proſecuting to conviction as it was a mere *qui tam* buſineſs, half the penalty going to the informer. After a further ſeries of remarks againſt the Bill, the Biſhop concluded with moving, "that the Bill ſtand committed for that day three months."

The Biſhop of *Wincheſter* roſe immediately and ſaid, my Lords, after the able ſpeech we have juſt heard I muſt neceſſarily riſe with much diffidence, yet I feel myſelf bound to do ſo, as I look upon this Bill in a light totally different from that in which the right reverend Prelate ſees it, not as a penal law but as a boon and benefit conferred upon the parties to whom it relates, that is, not on the Roman Catholics at large but on perſons at this time unprotected by our laws, although they are admitted to live in monaſtic ſociety among us. It is with great ſatisfaction I hear, that in reſpect to the Roman Catholic religion, and its propagation here, all the reſtrictions in this act, and even greater, are already eſtabliſhed by law. It is a proof that the reſtrictions here propoſed are conſiſtent with the ſpirit of all our laws, from the Reformation through the period of the Revolution, and to the year 1791. In the year 1792 there came into this country ſocieties of Roman Catholics, ſome Aliens, ignorant of your language, others alienated natives, ignorant of your laws, and theſe are the ſubjects of this Bill. I recall with pleaſure to your Lordſhips the humanity, generoſity, and hoſpitality with which all ranks of perſons were emulous to receive them. So ſtrong were the feelings of every Engliſhman on that occaſion, that you would ſuffer nothing to check the generous impulſe of your hearts in their favour. You forgot the ſpirit of your own laws, you overlooked the very act you had paſſed but the year before forbidding ſuch ſocieties. What then is the ſituation of the perſons ſo received? foſtered by the generoſity of individuals they ſtand expoſed to the vigour of ſevere laws. Hence then is the neceſſity of this Bill; for examine, my Lords, the true principle of toleration, better underſtood in this country than in any other; it is this, that every religious ſociety ſhall be tolerated among us, which can be ſuffered without danger to the conſtitution in church and ſtate. Try then the queſtion as to theſe ſocieties. Can theſe particular ſocieties be ſafely tolerated? I anſwer, that under the temporary indulgence and cautious reſtrictions laid down in this Bill, I think they may; for they will remain under the immediate controul of the Executive Power, they will

will have a temporary controul only, expiring with their lives, or with the war.

Here we ſee the ſpirit of the bill; which I conſider as having two objects, that of enabling in ſome reſpects, and reſtraining in others. You enable them to continue together in their ſocieties; and under this idea of temporary and guarded indulgence, I ſtand an advocate for theſe ſocieties, becauſe their exiſtence, under this limitation, is conſiſtent with the true ſpirit of toleration; and without this indulgence the national generoſity is incomplete towards them.

Under every government a diſſenter from the national religion, who has no wiſh but the peace and ſecurity of his conſcience, muſt naturally deſire to have his condition defined, his ſituation, in reſpect to the laws, aſcertained, publicly and preciſely underſtood; for then only is he ſecure from the rigor of magiſtrates, from the malice of informers, or from the, perhaps, immoderate zeal of an alarmed and zealous neighbourhood, which I can aſſure your Lordſhips is a conſideration deſerving of attention in this inſtance: and thus, my Lords, I profeſs myſelf a friend to the enabling part of this bill, as a friend to toleration properly underſtood, and as concurring in the exerciſe of national humanity towards theſe perſons, who are in a very uncertain and precarious ſtate without it.

But I come now to the ſubject of reſtrictions. Although we give perſonal ſecurity to the individuals themſelves, it is not at all neceſſary, upon the grounds of toleration, or for the purpoſes of national humanity, that others, born and reſident in this country, ſhould be added to theſe ſocieties, and become the means of defeating the temporary nature of this bill, by rendering them perpetual; and therefore, in conformity with the exiſting laws of this country, brought forward by the right reverend Prelate, I approve of that part of the bill which reſtrains the encreaſe of numbers, by forbidding the addition of new members. I approve of this reſtriction as a friend to the ſecurity of our own religion, and as putting a ſtop in its infancy to the revival (ſingular as it is) of one of the moſt faſcinating and captivating among the forms of the Roman Catholic religion. All the forms of that religion are calculated to inſpire the ſpirit of the religion itſelf; and, I think, it will not be denied, that the ſpirit of the Roman Catholic religion is adverſe to the ſpirit of the Britiſh conſtitution.

It has been ſaid by the right reverend Prelate, that the

Engliſh

Engliſh women of theſe ſocieties are not aliens, they have a right to live together, and you cannot prevent them. It then becomes true, that any number of Engliſh women, profeſſing the Roman Catholic religion, going over to the Continent, and taking the veil, may return, may live in monaſtic ſociety under vows, and, after qualifying, may undertake education in this country. If this is ſo, I am more than ever attached to the reſtrictions in this bill.

What ſtrange overſight is it in our laws relative to Popery, which renders this poſſible? If it is ſo, there is a defect in the proviſions, contradicting the whole tenor and ſpirit of our laws. But if it is ſo, it may not perhaps be difficult to account for it. This is accidental, and furniſhes no argument in favour of the practice; for monaſtic inſtitutions, nunneries, with all the oſtentatious forms and ceremonies of Popery, are but the efflorescence and fruit of that noxious plant our anceſtors intended to eradicate. Having taken up the plant itſelf by the roots, why provide againſt the leaves and branches? It were needleſs and abſurd to do ſo. But now, when new ſprigs and cuttings from another ſtock are again brought into your ground, and ſet in it, the ſame policy, which directed your anceſtors to eradicate it before, directs you to provide that it ſhall not take root again. This argument, therefore, that Engliſh women, nuns, who have come over ſince the paſſing of your laſt act in 1791, can only be reached by laws enacted in other times, and before it was in the conception of the legiſlature, that perſons circumſtanced as theſe are, would ever be brought into this kingdom; beſides that, it throws a doubt upon the execution of the law at all, diſpoſes me more than ever to this new enactment, which at once aſcertains the condition and rights of the women you have ſo received, prevents their encreaſe from among our fellow ſubjects, and ſecures us from the only evil our protection of them could bring upon us, the perpetuity of their influence.

I confeſs I have ſtill objection, and great objection to their keeping ſchools; but as I ſee much good reſulting from the bill in ſome parts, I ſhall not be rigid in my examination of others. It is in theſe ſchools that young women are *prepared*, as it is called, for the cloiſter. Prepared, my lords, is a term of far greater miſchief than meets the ear. For what is this preparation? It commences in the tyranny of parents, in the pride of parents; it is carried on by the ſyſtematic arguments of conventual inſtructors, it is completed

completed by the terror of ſuperiors, the invitations or the reproaches of bigotted ſiſters. What chance has the underſtanding of the poor victim to operate who is to be ſo prepared? But, it is ſaid, ſhe is not retained by force. How fallacious is this argument! I defy the moſt ingenious locksmith of the Inquiſition to forge ſuch chains as theſe. Preparation has enſlaved the mind, and bound it in fetters, which will mock your boaſted Habeas Corpus Act, and baffle the collective wiſdom of all your magiſtrates.

For theſe reaſons, my Lords, as a friend to the true ſpirit of toleration, as a friend to humanity, and as a friend to Proteſtant ſecurity, I am equally a friend to this bill; and when it is urged that it is nugatory and needleſs, I conſider that argument as fairly applicable only to the Roman Catholics reſident and ſettled in this country, relative to whom the prior laws were framed, but inapplicable to theſe new perſons, of a new deſcription, whom you ought not to have received at all, unleſs you give them all that is neceſſary to their ſecurity and comfort, under the reſtrictions which are neceſſary, on our part, for the ſecurity of our religion and government.

The *Biſhop of Rocheſter* roſe to explain that part of his ſpeech which related to the privileges of the Roman Catholics, natural born ſubjects, which he thought his right reverend brother had miſapprehended. He declared he had expreſsly ſaid, that all Roman Catholics, natural born ſubjects, as well as foreign Roman Catholics, were ſubject to the controul and authority of the Alien Act.

Lord *Grenville* roſe as ſoon as the Biſhop ſat down, and ſaid, that he was fully perſuaded that the right reverend Prelate was guided by the pureſt ſpirit of toleration in the arguments that he had delivered in favour of the bill. The right reverend Prelate muſt, however, excuſe him, if he declared that he ſhould feel himſelf obliged to object to the bill, becauſe he regarded it as a bill founded altogether in intolerance. It was, he ſaid, the firſt time, he believed, that Parliament ever had been called upon to paſs a new penal law, without having ſome ſtrong reaſon aſſigned in proof of the neceſſity for making any addition to our already perhaps too numerous penal ſtatutes; a penal law, too, whoſe object was, and the evident tendency of which muſt be, if it paſſed, to raiſe and excite unneceſſary jealouſies againſt an unfortunate, unoffending, and unobtruſive deſcription of foreigners, driven to ſeek refuge and protection in a country, the known humanity, hoſpitality, and generoſity of which, as well as benevolence

by

nevolence of its religion, enſured them before hand a certain and ſafe aſylum. The right reverend Prelate had given them to underſtand, that ſuch jealouſies and apprehenſions were already entertained by perſons of prejudiced and intemperate minds. If the fact were ſo, he would venture to aſſert, that the jealouſies were altogether unwarranted, and the apprehenſions groundleſs. Generally ſpeaking, as far as it had come to his knowledge, the conduct of the Roman Catholic clergy, emigrants from France, had been, for the moſt part, moſt innocent and moſt unexceptionable. If they had attempted to make converts, to encreaſe the number of monaſtic inſtitutions, or to do any thing likely to diſturb the government, he, as a member of that government, ſhould in all probability have heard it, as it was his ſpecial duty to watch their conduct ſcrupulouſly, and to exert the means that the legiſlature had put into his hands to reſtrain any and every abuſe tending to injure the intereſts of the country, either civil or eccleſiaſtical. He objected therefore to the enabling part of the bill, becauſe it tended to caſt an odium moſt unneceſſarily on a large deſcription of individuals, againſt whom no charge, or even ſuſpicion of improper conduct had been eſtabliſhed, and who were eminently entitled to our hoſpitality and our protection; and he objected to the reſtrictive part of it, becauſe it was ill-timed and nugatory, being rather calculated to point out the Roman Catholics to the reſt of the ſubjects of Great Britain, as perſons to be regarded with prejudice and jealouſy. It was quite idle, to talk of the nunneries, and as much ſo to appear frightened at a few monks living a life, as ſome had called it, of eccentric eaſe and fantaſtic devotion. Thus much he concurred in opinion with the reverend and learned Prelate who opened the debate; and with reſpect to a topic ſhortly dwelt on by him, namely, the miſchief of certain ſchools, he would juſt obſerve, that the miſchief was not overlooked by government. The progreſs of ſedition was certain, but it was marked; and its march would, ere long, be impeded by ſalutary reſtraints, or the ſpirit wholly ſubdued by well directed chaſtiſement. His Lordſhip added many, many obſervations highly favourable to the loyalty and good conduct of the Roman Catholics, natural born ſubjects of this country, and concluded with declaring that he cordially concurred in oppoſing the bill, and ſeconded the right reverend Prelate's motion, that the bill ſtand committed for that day three months.

The *Lord Chancellor* left the Woolſack to declare, that he had no particular liking to the bill, and agreed in ſeveral of the objections

objections that had been urged against it; but thought, nevertheless, that there were parts of it that contained some good provisions, and might, by amendments, be rendered highly useful. He wished, therefore, that it might not be rejected on the second reading, but go to a committee; and if such amendments could not there be suggested, as might render parts of it fit to remain, the bill might then go; but as the subject had been discussed in consequence of the introduction of the bill, inconveniencies might arise if it was hastily or wholly rejected without the examination it would necessarily undergo in a committee. His Lordship produced a letter, which, he said, he had received, with respect to the origin of the bill; and, as it was not anonymous, he would neither name the writer, nor read the whole of it; but he would communicate such sentences as were of import, however unfounded. The writer imputed the origin of the bill to a literary controversy between Dr. Sturges (the Chancellor of Winchester) and Dr. Milner, a Roman Catholic clergyman, who had published a History of the Antiquities, &c. of the City of Winchester; and he described Dr. Sturges's publication as a violent composition, fraught with the most intolerant doctrines, that have been long exploded and dismissed from the pages of Protestant writers, while, on the contrary, he characterized Dr. Milner's work as a mild and unexceptionable one, declaring, that if the bill were not allowed to pass, or something like it, apprehensions and jealousies might be excited, from the idea that such intolerant doctrines as Dr. Sturges had advanced, were to be supported and encouraged to the disadvantage and prejudice of moderate Roman Catholics. The Lord Chancellor said, he believed the author of this libellous letter was right in his conjecture as to the origin of the bill; but though he could but ill spare the time, he had since read the two publications, and though he would not apply the same intemperate language to Dr. Milner's, that the letter-writer had applied to Dr. Sturges's work, yet it evidently appeared to him that the work of Dr. Milner was full of the most studied aspersions on individual ministers of the Protestant church, and irritable and indecent reflections and unfounded charges against its system and practice, while Dr. Sturges's publication was candid, temperate, and full of the liberal line of argument which it well became a christian and a scholar to adhere to. Having read and commented upon the comparative characteristics of the controversy, his Lordship begged the House to recollect that Dr.

Milner was one of the eſtabliſhed Roman Catholic clergy, long reſident in this country: that in fact the emigrant clergy of France had nothing to do with the controverſy; that it was in no ways imputable to them; and, therefore, if the bill had been drawn with a view to the controverſy in queſtion, it was neither fair nor juſt to make it bear on thoſe who were unconnected with the controverſy. His Lordſhip repeated his wiſh, that the bill might go to a committee, becauſe the letter-writer's ſentiments ſhewed, that ſome anxious feelings were entertained reſpecting it.

The Biſhop of *Rocheſter* roſe again and ſaid, the argument had been put upon a new ground, by what had fallen from the noble and learned Lord, and therefore he wiſhed to ſay a few words. No perſon had before ſpoke of the origin of the bill, and he knew not how far it was regular to make a controverſy between two writers a matter of debate in Parliament, but he had alſo read the two works alluded to, and he agreed in part with the criticiſm of the noble and learned Lord upon the Woolſack, upon the different merits of the two writers; Dr. Sturges had certainly written in very gentleman-like language, but he owned he wiſhed the Chancellor of Wincheſter had held in mind the high ſtation he had attained in the church, and ſhewn more orthodoxy, and more zeal for the diſcipline of our Proteſtant eſtabliſhment. Dr. Milner had undoubtedly ſuffered too many aſperities againſt our eſtabliſhed religion, and the practices of its profeſſors and miniſters to eſcape his pen; but—

The Earl of *Hardwicke* ſpoke to order. It was, his Lordſhip ſaid, highly diſorderly, in his apprehenſion, to debate a criticiſm on a literary controverſy, wholly unconnected with the bill under conſideration, and fitter for the Monthly Review. He had lately heard it, ſaid, that the orders of the Houſe ought to be ſtrictly adhered to, and that the more they were ſuffered to be departed from, the more evidently they led to ſerious inconvenience and ſerious irregularity. He meant no offence to the right reverend Prelate, but he muſt inſiſt upon the order of the Houſe being enforced, which did not allow any Peer to ſpeak more than once in the ſame debate, whereas the right reverend Prelate had been up, and ſpoke two or three times.

The Biſhop of *Rocheſter* ſaid it was done every day. The noble and learned Lord had delivered a criticiſm on the controverſy between the Chancellor of Wincheſter and Dr. Milner, and he had a right to give his opinion upon it likewiſe,

Lord

Lord *Hardwicke* again called to order; and said, the right reverend Prelate muſt know, that it was contrary to order, to ſpeak more than once in the ſame debate.

The Lord *Chancellor* ſaid he had been called upon to enforce order, and he would enforce it. The right reverend Prelate was not entitled to ſpeak again.

The *Biſhop* ſtill contended that he ought to be allowed to ſpeak, as it was a new queſtion, the queſtion having been changed.

The Lord *Chancellor* ſaid, the order was againſt the right reverend Prelate ſpeaking again. He had thought it neceſſary, as a part of his ſpeech, to introduce a part of a letter relative to the controverſy between Dr. Milner and Dr. Sturges, and to drop a ſhort opinion upon it. If it was indiſcreet to have done ſo, the indiſcretion was his own; but he muſt inſiſt on it, that the right reverend Prelate was not, by the orders of the Houſe, entitled to ſpeak again, and that he had no right to anſwer what he had ſaid.

The Biſhop of *Rocheſter* ſaid, all he meant to have ſaid was, that he thought that Dr. Milner had, in many points, the advantage of the Chancellor of Wincheſter.

A general cry of order. The queſtion was therefore put, That the bill be committed, which was agreed to.

It was then moved, That the bill ſtand committed for that day three months. The Contents had it.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 10.

The Houſe met according to adjournment; but, there not being more than 28 members preſent at four o'clock, the Speaker adjourned the Houſe till the next day.

HOUSE OF LORDS.

FRIDAY, JULY 11.

The further hearing of counſel on the Appeal Cauſe, the Earl of Galloway and John Gordon, Eſq. v. the Lords of the Treaſury and Lord Advocate, reſpondents; when the Solicitor General was heard on the part of the latter, and Mr. Adam at great length in reply for the appellants; after which the further proceeding on this appeal was adjourned to Monday next.

The several bills on the table were read a stage each, and one passed a Committee.

Three bills were brought up from the House of Commons, and presented by Mr. Sturges, Mr. John Pitt and others.

Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, JULY 11.

The Workmen Combination Bill was ordered to be re-committed; and on the motion of Col. Gascoigne, an order was made for the printing of it.

Mr. *Long* presented several public accounts, relating to certain establishments, such as the Sierra Leone Company, &c. Ordered to lie on the table.

Lord *Belgrave* moved for an account of the Capital Stock of the East India Company from the 1st March, 1799, to the 1st March, 1800; and also of the amount of goods sold, and on sale, during that period. These accounts being ordered,

Mr. *Owen*, from the India House, presented them at the bar. Ordered to be laid on the table.

A message was received from the Lords, stating that their Lordships had agreed to certain resolutions relative to inclosures.

These resolutions were read by the Speaker from the chair, and were in substance the same as the resolutions sent to their Lordships by the Commons.

On the motion of Mr. Charles Yorke, the message of the Lords was ordered to be taken into consideration on Monday next.

Mr. *Rose* brought up the bill for permitting fish caught in the North Seas, for the use of the London markets, to be cured duty free, which was read a first time, and ordered to be read a second time on Monday.

On the motion of Mr. Tierney, an order was made for an account of the monthly charges of the consolidated fund for the quarter ending the 5th of July, 1800.

Mr. *Rose* brought up a bill for indemnifying printers of papers published without the names of such printers, by order of the Commissioners of any of his Majesty's public boards, which was read a first time, and ordered to be read a second time on Monday.

The Quarantine Bill was read a third time and passed.

The

The River Thames Police Bill was brought up, read a firſt time, and ordered to be read a ſecond time on Monday, and printed.

On the motion of Mr. Abbot, an addreſs was agreed to be preſented to his Majeſty relative to the report of the Committee appointed to conſider the ſtate of the public records.

Mr. *Tierney* deferred his motion on finance from Tueſday until Friday, as the account of the ſubſidies were not yet preſented by the Chancellor of the Exchequer.

ELECTION.

Mr. *D. P. Cole* renewed the notice he gave late in the laſt ſeſſion, of a motion it had been his intention to make early in the preſent, relative to voters at elections. That motion would have been for leave to bring in a bill to give a right of voting for counties to copy and leaſeholders; and he begged leave then to give notice, that he would bring forward a motion to that effect in the enſuing ſeſſion.

EGYPT.

Mr. *Jones* gave notice that he would on Monday next bring forward a motion relative to certain papers on the ſubject of the evacuation of Egypt by the French, the convention between the Turks and General Kleber, &c. The hon. member took notice of ſome miſrepreſentations of what he had ſaid on a former night, when moving for certain papers on the ſame ſubject, and diſclaimed any intention of imputing inhumanity or injuſtice to Lord Keith in his conduct toward General Deſſaix.

COLD-BATH-FIELDS PRISON.

Sir *Francis Burdett Jones* roſe to make his promiſed motion on the ſubject of the ſtate of the priſon in Cold-Bath-Fields. He ſaid, it was his intention to move for certain papers relative to the interior government of the gaol, and alſo the preſentment of the grand jury, and the report of the petty or traverſe jury for Middleſex. The hon. Baronet read as a part of his ſpeech a paper, purporting to be a recent preſentment of the grand jury, a report of the priſon committee of magiſtrates in conſequence of a viſit made ſubſequent to that preſentment; and alſo a paper deſcribed as being the laſt report of the traverſe jury. Theſe papers contained ſtatements of ſeveral caſes of aggravated ill-treatment, particularly of one Mary Rich, a girl about 14, on whom a rape had been attempted, and who was committed to the houſe of correction

correction as a vagabond. The names of ſeveral priſoners were cited by the worthy Baronet; but as the ſubject will probably be again brought before the Houſe, and eſpecially as the papers are likely to be printed, we forbear entering into the particulars of the narrative of the report of the juries. The paper, called a report of the traverſe jury, recited a number of acts of cruelty, injuſtice, and extortion, on the part of the gaoler and his ſon; and ſome ſtrong cenſure was uſed in the paſſages relating to the perſons who have the care of the ſick. The hon. Baronet concluded with obſerving, that if the paper for which it was his intention to move, in the firſt inſtance, ſhould be ordered, he would follow up that motion with one for a Committee to enquire into the ſtate of the ſaid priſon, and with a view to the Houſe entering fully into the ſubject; he ſhould alſo move, that the magiſtrates and all perſons who could give information reſpecting the ſtate of the priſon, ſhould be examined by the Committee. He firſt moved, that the preſentment of the grand jury of the county of Middleſex be laid before the houſe.

Mr. *Sheridan* roſe to ſecond the motion. He ſaid he ſhould be aſhamed if he thought it neceſſary to uſe arguments to induce gentlemen to adopt the motion of his hon. Friend. If the Houſe refuſed inquiry, it would be loſt to every ſenſe of what was due to its own dignity, its juſtice, and its humanity. When he ſupported the worthy Baronet on the ſubject laſt year, he was fully impreſſed with the real evils and injuries to which the poor unfortunate perſons confined in Cold-Bath-Fields were expoſed; but from the papers which the Houſe had juſt heard read, it appeared that the miſchief was not then diſtinctly and wholly felt; that the ſituation of the priſon was imperfectly known; and now, therefore, the inference was, the magiſtrates were then impoſed on; that the judges who approved of the conduct of the magiſtrates from their benches, were impoſed on; and that the Houſe of Commons and its Committee were impoſed on. He ſhould exceedingly lament if the Houſe ſhould paſs over ſuch matters lightly. Never was ſo complicated a ſcene of infamy, oppreſſion, cruelty, and extortion, exhibited before Parliament. Some were languiſhing in cells without any relief being afforded them, while the debtors and perſons deſcribed as vagabonds were confined in dark and loathſome cells with cold, wet, ſtone floors, in ſuch a ſtate of naſtineſs that the jury could not remain in them long enough to finiſh their examination. He might be told the magiſtrates never refuſed re-

dreſs

dress when properly applied to, but he must say, it was no very strong proof of the magistrates doing their duty, that such repeated acts of cruelty were committed. Did not the officers of the gaol plunder, rob, and treat with cruelty and injustice the unhappy prisoners? He was told last year that the hon. Baronet took his report from mutineers; but on this occasion gentlemen had heard the report of grand and petty juries. Upon the whole, therefore, he hoped the motion would be agreed to, and that the House would also agree to a motion for going into a Committee. It would be disgraceful to the representatives of the people of England to retire to enjoy themselves in festive ease in the country, leaving so many of their fellow-creatures languishing, tortured in cells in a dreary, noxious, and cruel gaol. It was not of much consequence to him whether the Committee was a select one, or a Committee of the whole House.

Mr. *M'inwaring* spoke with some warmth in reply to the last speaker. He said the paper read by the hon. Baronet was unauthentic, inflammatory, and false. He justified the conduct of the magistrates. They visit the gaol regularly, and the presentment of the grand jury, as well as the result of the examination of the traverse jury, were acted on by the prison Committee. The magistrates never received any report from the traverse jury similar to that which had been read. The judges received a copy of notes of memorandums from the traverse jury, and those notes being referred to that Committee, certain regulations were accordingly adopted in the gaol. The paper indeed could not have been intended for the hands of the magistrates, but only for the hands it went to, in order to bring the subject before Parliament with all the force of colouring which the imagination of gentlemen could give it. Here the worthy magistrate read a list of articles declared serviceable and unserviceable by the Committee of magistrates; among which were upwards of 100 beds serviceable, and about the same number unserviceable: the number of blankets and rugs bore a similar proportion. With respect to the mutineers, their treatment was as good as their situation would admit of; and as to Mary Rich, the magistrates had examined her, and found that when at home with her parents she lived in extreme poverty: she was one of six children; the mother makes soldiers buttons at a penny a dozen; the father earns about 12s. a week, and they generally bought 4 or 5 lb. of meat in a week to subsist their family. These and other circumstances formed the

report

report of the magistrates, who gave it as their opinion that Mary Rich was treated better, and lived more comfortably in the gaol than ever she had done with her parents. Having thus submitted a counter-statement to the House, the worthy magistrate observed in concluding, that if the motion should be for the production of the presentment of the grand jury, and the report of the Committee of magistrates only, he would not object to it.

Mr. *Charles Yorke* wished to know whence the hon. Baronet got the paper described to be the report of the traverse jury.

Sir *F. B. Jones* answered, that the foreman of the jury, and two of the jurymen, waited on him with it.

Here some difficulty rose respecting the terms in which it would be proper to express the motion.

Mr. *Tierney* wished the motion to be for all the papers presented to the justices of the quarter sessions for Middlesex. He trusted the House would agree to an enquiry; the circumstances to be collected even from the statement of this worthy magistrate being calculated to create great public uneasiness. The hon. Member was going on to observe, that he was not at all interested in the question, from any other motive than that of a general desire that no unnecessary cruelty should be exercised; no feelings of party actuated him—[*Here the Attorney General smiled.*]—Mr. Tierney said, "The hon. and learned Gentleman need not smile. I state what cannot be contradicted. I took no share in the debates on this subject last year, I even did not vote on it. Why do then does the hon. Gentleman smile, as if he insinuated I am under the influence of improper motives. But this habit of the learned Gentleman has of late grown almost intolerable; but I tell him he had better not smile in his sneering way at me."

The *Attorney General* here arose. He assured the hon. Member and the House he meant nothing personal when he smiled. He was utterly free from personal antipathy to the hon. Gentleman.

Mr. *Tierney* expressed himself satisfied with this explanation.

After a few observations on the point of order from the Attorney General, Mr. Baker, and the Speaker, a motion was framed as follows:—"That there be laid before the House copies of all the representations, &c. to the magistrates at the general and quarter sessions for Middlesex, on the subject of the state of the prison, and the condition and treatment of its

III

the prisoners in Gold-Bath-Fields, from the 1st of January, M

The motion being read,

Mr. *Sheridan* rose to second it, but with the proviso that hon would not be prevented from getting all the information poſ sible in any regular mode on the ſubject. An hon. Member ha had ſaid, that we ought to apply to another tribunal if cruelty and injuſtice were done; but did not the Houſe appoint a Committee on the ſubject laſt ſeſſion; and was it not part of the firſt buſineſs of every ſeſſion to appoint Committees of juſtice to take cognizance even of the general government of the Courts of Judicature? and undoubtedly ſuch Committees were much wanted on certain recent occaſions, when expreſſions were uſed by perſons of high character which reflected moſt groſsly on that Houſe. Some late expreſſions of a worthy Prelate in another place had particularly drawn his attention; and he took that opportunity of giving notice that he would bring the ſubject before the Houſe ſome early day. With reſpect to the preſent motion, he was fearful it was too confined in terms to get at the object of his hon. friend. What he wiſhed to aſcertain in the firſt inſtance was, whether the notes alluded to by the worthy magiſtrate related to the firſt or ſecond viſit of the coroner's jury. This was material, becauſe the firſt viſit was about the middle of May, and the laſt about the 4th of June. The ſtatement of the worthy magiſtrate was ſuch as ought to induce the Houſe to enter on the inquiry; indeed he was ſhocked to hear ſo much of the caſe of Mary Rich, and the magiſtrates concluding by giving it as their opinion that that poor creature was properly treated, while it appeared from the depoſitions even of the grand jury, that the child one whole night without a blanket, was lying in the ſame room; daughter died in conſequence of it, and nearly loſt her life. Were theſe no circumſtances to excite terror? It was a ſtrange mode of arguing, that becauſe her parents were poor, the wretched meagre diet of the gaol was excellent food; yet it was offered as an apology for the magiſtrates, that the poor girl came from the ſchool of wretchedneſs and poverty to that abominable gaol. But how came ſhe there? The report ſtated that the poor child charged ſome perſon with committing a rape on her. Was that perſon ever proſecuted? Why did not the magiſtrates enquire into this? But ſhe was committed to be detained as a witneſs. Where in the laws of England do the magiſtrates read that a perſon complaining

of an injury, a profecutor, is to be detained as a witneſs in his own cauſe; and kept on bread and water? He thought he had a right to ſuſpect, from all that was known of the officers of the gaol, that they were bribed by the offender to detain the unfortunate child. But it was ſaid that perſons applied to the hon. Baronet to repreſent the ſituation of the gaol to the Houſe. Now inſtead of this being a diſgrace to his hon. Friend, inſtead of its being a reproach, it ought to be regarded as exceedingly meritorious. We ought to praiſe, not cenſure the

—— "few who ſeek the wretched out,
And court the offices of mild humanity."

The priſoners have a right to complain; they find they need not complain to the magiſtrates, becauſe their complaints are not attended to. He could not but implicate the Magiſtrates, for it appeared from the report read by the worthy magiſtrate, that notwithſtanding the recommendation of the Committee of that Houſe laſt year, they were tardy in reforming abuſes; inſomuch that it was only very lately the unſerviceable articles the houſe had heard enumerated were ordered. The beds were ſo bad, that the ſtraw and chaff were ground down to one common powder. Being of opinion, therefore, that every one word which had fallen from the worthy magiſtrate ſhewed the neceſſity of the motion, it would have his moſt cordial ſupport.

The *Secretary at War* thought that the care of priſons were ſubjects particular in their matter, and ought to be ſeriouſly inveſtigated into. The governors of theſe houſes muſt in the nature of things have very uncontrolable powers, and the perſons over whom they exerciſed their juriſdiction, were in general that claſs which did not meet much ſympathy in their ſufferings. Neither had they the opportunity of complaining of their injuries, and but few would enter within their walls for the purpoſe of enquiring after and redreſſing them. But what he doubted was, whether the Houſe of Commons was the proper tribunal to perform that office. There were inferior courts who had their juriſdiction, and they ought to be applied to; if they had been, and no redreſs was given, then he would ſay that it was proper to interfere by that Houſe; but he thought that the power of that Houſe was too large to deſcend to the detail of minute particulars. Their objects ought to be commenſurate to their powers. On this ground he thought the motion improper.

Mr. *Yorke* agreed in the diſtinction made by the Secretary

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at War, but thought that all enquiries ought to be made into the facts. He concluded by moving, by way of an amendment, that the words "copies of the proceedings of the juſtices thereupon," be added to the motion.

Mr. *Baker* thought that the papers would be unneceſſary, unleſs ſome proceedings were afterwards had, which he preſumed was the hon. Baronet's intention; and he ſtated that he ſhould object to the Houſe going into any committee at this time. The motion, as amended, was then put and carried.

Mr. *Sheridan* obſerved, that it would be neceſſary to have every information upon the ſubject; and as he doubted whether the paper read by his hon. Friend, purporting to be the Report of the Traverſe Jury, would be retained under the former order, he ſhould move that the letter addreſſed to the Foreman of the Traverſe Jury, and the ſtatement incloſed, ſhould be laid before the Houſe.

This produced a converſation between the Attorney General, Mr. Yorke, Mr. Burton, and Sir F. B. Jones, after which the motion was withdrawn, on the ground that the paper was not official, and there was no one to whom the order could be addreſſed.

TREASON AND LUNATIC BILL.

The *Attorney General* brought up the report of the Treaſon Bill, which was read and agreed to, and the bill ordered to be read a third time.

The report of the bill for diſpoſing of lunatics charged with crimes, being brought up,

The *Secretary at War* ſtated, that though but few members were preſent, he muſt ſtate to them an opinion which preſſed very ſtrongly on his mind. He thought that the plea of lunacy ought not to be in bar of puniſhment. He thought that the fear of puniſhment did operate upon the minds of inſane perſons, and that they ought to be puniſhed for crimes of which they had a knowledge was wrong. He thought it ought to be ſo in common caſes, but more particularly ought it to be ſo when the life of the king was at ſtake; ſince the premature death of a perſon, holding his exalted ſituation, might go even the whole length of diſſolving the bonds of ſociety. It was true that there was ſomething revolting to the mind at puniſhing a man who did not know what he was about, but it was always ſhocking to the mind to puniſh even the greateſt criminal. It was never done as an act of vengeance, but as the means

means of prevention. The measure of punishment was not adjusted by the measure of moral guilt. When moral guilt and prevention went together, so far punishment followed; but, when moral guilt diverged, then punishment followed the road of preventive: and this he understood had been the ancient law of England, in his opinion, founded in wise policy.

Mr. *Nicholl* reprobated strongly the opinion of the Secretary at War, and denied that the law of England ever punished insane persons; maintaining that intention was the essence of a crime by the law of England, and that a lunatic could commit none, because he wanted a will.

The *Solicitor General* stated, that by the policy of the ancient law a lunatic was punished for treason, because it was thought that state necessity justified it; and quoted the opinions of Lord Coke, in his Pleas of the Crown, and in his Reports.

Mr. *Nicholl* observed, that observations of such a singular nature ought not to be made in such a thin House, and he must move that it be counted.

There not being more than seven or eight members present the House was immediately adjourned.

HOUSE OF LORDS.

MONDAY, JULY 4.

Lord Gwydir proved his pedigree in a Committee of Privileges.

A number of petitions were presented against different clauses in the London Flour and Bread Company Bill, and ordered to be referred to the Committee.

Counsel were then called to the bar, and Mr. Adam and Mr. Plumer proceeded to examine witnesses, and Mr. Garrow, of counsel for the bill, to cross-examine them; and afterwards spoke in support of the bill.

The Duke of *Portland* delivered the following Message from his Majesty:

"G. R.

"His Majesty thinks it proper to lay before this House a copy of a treaty which has been signed at Vienna, between his Majesty's Minister at that Court and the Minister Plenipotentiary of the Emperor of Germany, duly authorized for that purpose.

"His Majesty has directed the ratification of this treaty to be immediately prepared and transmitted to Vienna to be exchanged with that of

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the Emperor; but on account of the present advanced period of the year, his Majesty has thought it best not to delay communicating to Parliament the engagements thus entered into; and he recommends it to the House to adopt such measures as may be necessary, in order to enable his Majesty to fulfil them. His Majesty doubts not that he shall see in the conduct of Parliament in this conjuncture an additional example of that good faith, firmness, and determination, which have uniformly actuated the Councils of this country; and he is perfuaded his Parliament will concur with him in thinking, that by furnishing the means of profecuting the war with vigour, they beft promote the attainment of peace on grounds conſiſtent with the ſecurity and honour of this country, and with the ſafety and independence of Europe. G. R."

And, the ſame having been read, an Addreſs was, as uſual, moved, and agreed to be preſented to his Majeſty.

The bills on the table paſſed a ſtage each.

HOUSE OF COMMONS.

MONDAY, JULY 14.

The Clerk of the Peace for the county of Middleſex preſented an account of the rentals of the eſtates within the county.—Ordered to lie on the table.

Mr. *Jones* ſaid, that when he gave notice of moving this day for the production of the papers with regard to the infraction of the convention for the evacuation of Egypt, he underſtood that Parliament was immediately to be prorogued. He had ſince learnt that the Houſe would probably ſit for ſome time, and as there was buſineſs for the Houſe this and every day this week, he ſhould defer making his motion till Monday next.

A petition was preſented from the churchwardens and overſeers of the poor for the parish of St. Leonard's, Shoreditch, againſt the bill now pending before the Houſe for the relief of the poor of the Metropolis.—Ordered to lie on the table.

The River Thames Police Bill, the Printers Indemnity, and Pawnbrokers Regulation Bills, were read a ſecond time, and ordered to be committed the next day.

The Bill for exempting from duty Salt uſed in curing Neat's Tongues, was read a ſecond time, and ordered to be committed on Thurſday.

Their Majeſties Private Property Bill went through a Committee,

Committee, was reported, and ordered to be read a third time the next day.

The Hops Importation, the Indenture Indemnity, and the French Wine Importation Bills, were committed, and ordered to be reported the next day. The 12th of August was agreed upon as the period when the first shall commence.

The India Judicature, and Territorial Regulation Bills, were read a third time, and passed.

TESTAMENTARY DEVISE BILL.

The *Master of the Rolls* moved the order of the day, for the further consideration of the proceedings on the third reading of the Testamentary Devise Bill.

Mr. *Pierrepoint* wished the hon. Member to defer his motion until the other orders of the day should be gone through, in order to give time to an honourable and learned Gentleman, not then present, to attend the discussion. He alluded to Mr. Burton, who stated on Friday that he had several alterations to propose, in case the bill went to the third reading.

The *Master of the Rolls* observed, that undoubtedly if the hon. Gentleman had reason to expect the member alluded to, he would not oppose a short delay, but thought it would be quite sufficient to defer the proceedings till after the order next in succession should be disposed of.

The *Speaker* said, that there were but three modes of proceeding in cases similar to the present known to the House. The motion might be proceeded on immediately, it might be deferred until after the other orders of the day were disposed of, or it might be postponed to a future day.

The *Master of the Rolls* then moved, "That the bill be now read."

Mr. *Pierrepoint* moved an amendment, that instead of the word *now*, the word *to-morrow*, should stand part of the motion.

The *Speaker* was about to put the question, when

Mr. *Burton* entered the House. He wished to know whether the right hon. Gentleman, the *Master of the Rolls*, meant to answer the speech he made on Friday, or did the House expect him to re-state his objections to the bill.

The *Master of the Rolls* said, he did not wish to attempt to dictate to the hon. Member what course to take, but he certainly would not reply to the speech made on Friday; for if

he

the Emperor; but on account of the preſent advanced period of the year, his Majeſty has thought it beſt not to delay communicating to Parliament the engagements that entered into; and he recommends it to the Houſe to adopt ſuch meaſures as may be neceſſary, in order to enable his Majeſty to fulfil them. His Majeſty doubts not that he ſhall ſee in the conduct of Parliament in this conjuncture an additional example of that good faith, firmneſs, and determination, which have uniformly actuated the Councils of this country; and he is perſuaded his Parliament will concur with him in thinking, that by furniſhing the means of proſecuting the war with vigour, they beſt promote the attainment of peace on grounds conſiſtent with the ſecurity and honour of this country, and with the ſafety and independence of Europe. G. R."

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will which gave rise to the preſent proceedings; notwithſtanding the power to make ſuch an attempt has been well eſtabliſhed, and perfectly known during more than two thirds of the preſent century, and had in fact exiſted much longer. But ſuppoſing the evil ever likely to occur, namely, the accumulation of too large a property, let it be ſeen what is the remedy propoſed by this bill, how far it goes beyond its object, and how many inconveniences it will produce, both public and private. Inſtead of declaring that no accumulation ſhall be lawful beyond a given amount, it forbids accumulation for more than twenty-one years, or a minority in all caſes whether wholly or partially, and whether the eſtate be great or ſmall. To prevent an accumulation to the amount of millions, it prohibits accumulations in numberleſs inſtances, even to the amount of fifty pounds. Among the inconveniences of a public nature, one is, that it lays an unneceſſary reſtraint on the power which the ſubjects of this country have long enjoyed over their private property. The attachment which men feel to their property, contributes to attach them to their country and conſtitution, and the unreſtrained liberty to diſpoſe of their property in any way that ſuits their inclinations, without injuring the community, is alſo one among the various incentives to induſtry. It ought alſo to be remembered, that a variety in the magnitude of private fortunes is important to the well-being of every great ſtate. The bulk of the community muſt be poor, or they would never be laborious. A great proportion muſt feel the want of affluence, or they would never be induſtrious; and it is not only uſeful that many ſhould be poſſeſſed of ample fortunes, but that large capitals and great accumulations ſhould alſo be found in ſome hands, becauſe it is to them that reſort muſt chiefly be had for loans and aſſiſtances on the ſudden emergencies which are conſtantly occurring in every ſtate: but this bill prevents accumulation in many ways which are at preſent lawful, whilſt it tends to diminiſh attachment to property, and to take away one of the incitements to induſtry. The private inconveniences of which the bill is productive are far more numerous. Suppoſe the great manſion-houſe of a noble family deſtroyed by fire, ſuppoſe the owner of an eſtate bound to the repair of a great bridge; ſuppoſe the patron of a living deſirous to rebuild the parſonage-houſe fallen to decay, or the proprietor of an eſtate deſirous to improve it by drainage, or by embankment, or by the opening of a mine, all theſe purpoſes may now be affect-

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ed in two ways with convenience to the family and advantage to the public; a ſufficient portion of the rents and profits may be accumulated during the exiſtence of the entail, or for a ſhorter period, till enough is raiſed for the intended work: or elſe a ſum may be immediately raiſed by way of mortgage for compleating the work without delay, and a portion of the profits accumulated in the ſame manner to diſcharge the mortgage. Thus too if the owner of a Weſt-India eſtate, or of mineral property, or of any other of a precarious nature, is anxious to ſecure a more ſtable income, Why ſhould he be deprived of his preſent power of accumulating a part of his uncertain profits to be inveſted in land or in the funds? Nothing requires greater prudence than the ownerſhip of an eſtate held for lives; nor is any thing more apt to reduce a family from affluence to poverty. Is it not highly inconvenient to the proprietor, and prejudicial to the ſtate, that he ſhould be abridged in his preſent right to provide for renewals by the accumulation of part of the profits during the entail? It may ſometimes happen that the viſible owner of a conſiderable property may know it to be ſubject to ſecret truſts, or to the demands of a rightful owner, neither of which he can venture to diſcloſe, why ſhould he be refuſed the liberty to protect the rights of the owner, or to ſecure from ſudden and irreparable ruin his own children, by directing an accumulation for as long a period as the ſubſiſting law allows him? The caſe of a lunatic furniſhes another remarkable inſtance; at preſent a parent may provide for the maintenance of a lunatic child, and direct an accumulation of the ſurplus profits towards the improvement of the family eſtate for the benefit of the perſon next in the entail: according to this bill, it is true, he is permitted to do the ſame thing for twenty-one years, but if the lunatic ſhould live forty or fifty years, as he may well do, after the expiration of the twenty-one an accumulation during the laſt forty or fifty years muſt ſtill take place notwithſtanding the prohibition contained in this bill, but inſtead of going in the courſe preſcribed by the teſtator, it will go to the lunatics next of kin; be they who they may, even though they ſhould be the object of the teſtators juſt diſapprobation. One more inſtance is enough to mention, to the honour of this country, it is no rare occurrence to ſee a peerage conferred by his Majeſty, as the reward of ſome ſplendid victory, which is uſually attended by another mark of national gratitude, in the grant of a penſion to ſupport the dignity; the general limit of ſuch a

penſion is three lives; and as the law ſtands at preſent, the new peer has the power of directing an accumulation of his private property during the continuance of the penſion which, however moderate his fortune may be, will probably produce ſome decent ſupport by the independence of his peerage, a matter of no ſmall concern either to the public or the individual. It is needleſs to enumerate more inſtances, but if any conveyancer in the habit of contemplating the various contingencies commonly provided for in family ſettlements would ſit down for the purpoſe a ſingle hour, he would eaſily add many to the number, and where can be the wiſdom of introducing ſo many known and certain inconveniences as well as hazarding many unforeſeen ones, for the ſake of preventing one ſpeculative inconvenience only, which the experience of near a century has taught us to look at without any reaſonable ground of apprehenſion. If, however, it is an inconvenience which ought to be provided againſt, why ſhould not a remedy be uſed more ſuited to the evil intended to be removed? The only evil being the accumulation of too great a fortune, the obvious remedy ſeems to be a law to ſtop the accumulation whenever it amounts to too large a ſum. One mode has been ſuggeſted in a former debate, by an hon. Colonel, that of enacting that the accumulation ſhould be applied to the public uſe whenever it ſhould exceed a given ſum, and this would undoubtedly prove an effectual cure, but there might be a difficulty in enquiring into the amount of the accumulation. There is another mode ſeemingly more eaſy, which is to enact that the accumulation ſhall ceaſe as ſoon as the Income Tax thereupon amounts to a given ſum; to this there is undoubtedly one objection, that the Income Tax is only temporary, but this law may be alſo temporary, as for four, or five, or ſix years, during which period ſome other criterion might eaſily be found, and from time to time the quantum might be varied, as the value of money, or the circumſtances of the times ſhould render it expedient.

Mr. Burton, therefore, concluded by ſaying, that he ſhould firſt oppoſe the third reading, with the view to give time for better conſideration, on ſo important a change in the law of property. In caſe the bill was read, he ſhould then move to amend it, by ſtriking out nearly the whole of the enacting part, in order to inſert a ſingle enactment, that no accumulation ſhould continue after the Income Tax thereon ſhould amount to a given ſum, adding to this another clauſe

to limit the bill to five or ſix years. If the Houſe ſhould differ with him upon theſe motions, he ſhould then propoſe ſome addition to the proviſo introduced by the Attorney-General, with a view to guard againſt a few of the inconveniences which had occurred to him, and in that caſe he ſhould propoſe that this law ſhould not continue without a reviſion beyond a very early period in the next ſeſſion.

The *Maſter of the Rolls* replied at ſome length. He took a curſory but correct view of the celebrated will of the late Mr. Thelluſſon, and having ſtated with much perſpicuity his objections to ſo capricious a diſpoſition of property, he very ably juſtified the bill and its ſeveral enactments. With reſpect to the ſuggeſtion that it would be enough to try the effect of the law till ſix weeks after the commencement of next ſeſſion. he obſerved, that although it would certainly be right to repeal laws whenever they were found to be vexatious, yet it would hardly deſerve to be called an experiment on a law, which was only to be tried a few months. Having variouſly applied the principal arguments urged by him in ſupport of the bill, the hon. and learned Gentleman concluded by preſſing his motion on the Houſe.

Mr. *Simeon* ſupported the bill, and cited ſeveral caſes in which the law, as it now ſtands, may be uſed very prejudicially to the general intereſts of the community by perſons poſſeſſing large fortunes, whoſe whim it may be to deviſe their property to remote generations.

Colonel *Elford* was againſt the principle of the bill, but would not divide the Houſe.

The queſtion being now loudly called for, a diviſion took place.

For the Maſter of the Rolls' motion -	50
Againſt it - - - -	3
Majority	47

The bill was now read a third time.

SOUP BILL.

Mr. *Mainwaring* moved the order of the day for the ſecond reading of the Bill for the Relief of the Poor of the metropolis. He continued of the ſame opinion he originally entertained of the propriety and expediency of impoſing a rate on the ſeveral pariſhes, for the better ſupport of the poor, yet underſtanding that there were ſeveral petitions with very numerous ſignatures about to be preſented againſt it, and

aſſuming that thoſe who ſigned ſuch petitions had read the bill, and fully underſtood it, he would conclude by moving "that it be read a ſecond time on that day three months."

The *Chancellor of the Exchequer* ſaid, that while it was not his intention to oppoſe the motion, he thought it due to himſelf and to the Houſe, diſtinctly to ſtate that he remained unaltered in his opinion of the policy, the juſtice, and the expediency of the meaſure. He did not concur in opinion with the hon. Member that all who ſigned the petitions underſtood, or even had read the bill; on the contrary, he believed the whole of the meaſure was miſunderſtood and miſrepreſented. However, as the effect of miſrepreſentation had been to create pretty much uneaſineſs and alarm, and as he truſted thoſe who ſaid that the fund of the pariſhes was ſufficient for the ſupport of the poor, he would only add, that he truſted the oppoſers of the bill were really in earneſt, and that they poſſeſſed the means of affording adequate relief to the poor.

Mr. *Hawkins Browne* concurred in ſentiments with the laſt ſpeaker.

Mr. *Jones* aſſured the Houſe that the pariſhes could and would ſupport their poor.

The queſtion being now put, the bill was ordered to be read a third time this day three months. The bill of courſe is loſt.

FINANCE.

The *Chancellor of the Exchequer* gave notice, that he would on Wedneſday move certain reſolutions in the Committee of Ways and Means, relative to the income ariſing from the conſolidated fund; and alſo the remaining votes of ſupply, in the Committee of Supply on the ſame day.

Mr. *Tierney* wiſhed to know if the right hon. Gentleman intended to bring forward his detailed reſolutions on finance in the Committee on Wedneſday. If he did, it would render unneceſſary his intended motion on that ſubject.

The *Chancellor of the Exchequer* replied, that he merely meant to move the ways and means and ſupply, as uſual. He would not bring forward reſolutions, becauſe he did hope that after the example of the amendments he had laſt year made to the reſolutions of the Member, he (Mr. Tierney) would this year come pretty near correctneſs in his reſolutions. If, however, the reſolutions were not correct, he would avail himſelf of an opportunity, as he had done on that occaſion, to offer amendments.

Mr.

Mr. *Tierney* obſerved, with a ſmile, that certainly the amendments of the right hon. Gentleman were correct; as for inſtance, the produce of the tax on income!

SUBSIDIES.

The *Chancellor of the Exchequer* here added, that although it might be conſidered not quite regular, he would juſt obſerve that he expected to have it in command from his Majeſty to bring down a meſſage the next day on the ſubject of the further vote of ſubſidies for the year. He would move this vote in the Committee of Supply on Wedneſday, at which time a vote for the remaining ſum due on account of the Ruſſian troops would alſo be ſubmitted to the Houſe.

Mr. *Tierney* poſtponed his intended motion on finance till Monday next.

INCOME TAX.

Mr. *Roſe* obtained leave to bring in a Bill to amend the Act of the preſent Seſſion for explaining and amending the Income Act; ſo far as the ſame related to the delivery of ſtatements to the commercial commiſſioners.

The other orders being deferred, the Houſe adjourned.

HOUSE OF LORDS,

TUESDAY, JULY 15.

Lord *Eldon* went through the whole of the proceedings in the cauſe between the Lords Commiſſioners of the Treaſury, and the Lord Advocate of Scotland, plaintiffs, and the truſtees of the late Admiral Keith Stewart, and the Earl of Galloway, Alexander Gordon, and John Gordon, Eſqrs. ſureties and cautioners in a bond for 25,000l. to anſwer for the ſaid Admiral Keith Stewart's well and truly accounting for and paying all ſuch ſum and ſums of money as may from time to time be impreſted into his hands, as Receiver General of his Majeſty's land rents and caſualties in Scotland, by warrant or warrants of the Barons of his Majeſty's Exchequer at Edinburgh, out of which proceedings aroſe the appeal, the Earl of Galloway appellant, and the Lords Commiſſioners of the Treaſury, and the Lord Advocate reſpondents, from an interlocutor of the Lord Ordinary, and a ſubſequent interlocutor of the Court of Seſſion. His Lordſhip, with infinite perſpicuity developed and explained all the different parts of the complicated cauſe, on which the appeal was founded, and concluded a very maſterly detail, accompanied with many

many pertinent remarks on the queſtions of law involved in it, with moving the following propoſition, viz. "to refer the cauſe back to the Court of Seſſion to know whether the ſureties and cautioners to the bond of 25,000l. were anſwerable, and to what amount, for the 22,700l. principal and the intereſt of the ſame, being the ſtock of the Court of Seſſion." Ordered.

Several bills were brought up from the Commons, and preſented by Mr. Douglas, Mr. Metcalfe, Mr. W. Dundas, Chancellor of the Exchequer, and others.

The bills on the table paſſed a ſtage each.

The counſel for the petitioners againſt the London Flour and Bread Company proceeded in their evidence.

Mr. William Kingsford, of Canterbury, proved the influence which the agents for the Albion Mill Company invariably had on the corn markets in Kent, and ſtated the probable effect which a chartered Company would have, both on the corn markets, and the ſupply of London with flour, and he particularly ſpoke to the influence which ſuch a body would have (from the power of buying up wheat, and keeping it in ſtore to bring it out at pleaſure) both in deſtroying all competition at home, and preventing all importation from abroad.

Mr. John Dunkin, flour factor, alſo ſtated the propable effect of this corporation, in deterring the country millers from ſending flour to London. He was proceeding to ſtate that the new Company might be ſupplied with many mills already built, the proprietors and occupiers of which would be happy to diſpoſe of them; but this was not thought relevant to the caſe of the petitioners. He ſtated that he frequently had thouſands of ſacks of flour conſigned to him from the country, which lay for weeks on his wharf for want of purchaſers, and that London had always an abundant and regular ſupply.

The evidence for the millers then being cloſed, Mr. Adam ſummed up for them in a maſterly ſpeech.

The *Lord Chancellor* then called on Mr. Scott, who ſtood at the bar, as counſel on the petition of Mr. Francis Chalmer, of Liverpool, to ſtate the grounds of his oppoſition, and of his prayer to be heard againſt the bill.

Mr. *Scott* ſtated, ſhortly, that Mr. Chalmer was a corn importer, and he oppoſed the bill, as it would tend to affect the importation of corn into the outer-ports, as well as London; and that his own intereſts therefore, as well as the intereſts

tereſts of Liverpool, would be materially affected thereby. He propoſed therefore to prove theſe allegations by witneſſes.

The Earl of *Liverpool* ſubmitted to their Lordſhips, whether they could hear this petition of an individual corn-merchant of Liverpool. Could they hear all the individuals who might ſay they were affected by a bill?

The Duke of *Clarence* ſaid, that, in his judgment, their Lordſhips, who were the natural guardians of all the property in the kingdom, would certainly think it their duty to hear ſuch perſons as came to their bar to ſhew, by competent evidence, that they were likely to be affected by the operations of a bill pending in Parliament.

The Earl of *Weſtmoreland* concurred with his Royal Highneſs in this ſentiment, and truſted that their Lordſhips would feel it to be due to every reſpectful petitioner to hear his caſe.

The *Lord Chancellor* ſaid, the matter was ſo plain, that he was almoſt aſhamed to trouble their Lordſhips with a word on the ſubject. A ſingle perſon, reſident at Liverpool, complains of a bill to incorporate certain perſons to manufacture flour and bread for London. The right of the ſubject to petition was unqueſtioned; but it would always remain with the deciſion of the Houſe, whether they would hear petitions which, on the face of them, were improper.

After ſome further debate the queſtion was put, That the order for hearing counſel on the petition of Francis Chalmer be diſcharged. Ordered.

It was then moved, That the hearing of counſel for the bill ſtand for Thurſday next; and it was underſtood that the debate on the ſecond reading would come on the ſame day.

Adjourned.

HOUSE OF COMMONS,

TUESDAY, JULY 15.

The papers and accounts preſented from the Eaſt India Company were ordered to be referred to a Committee on Monday.

A meſſage from the Lords ſtated, that they had agreed to the Houſe of Commons Officer's Bill, and the Lancaſter Common Pleas Bill.

The bill for the better preſervation of navy and victualling ſtores, the Poor Children's Indenture Bill, the River Thames Police, the Official Printers Indemnity Bill, and the Guern-

ſey

ſey and Jerſey Wine Importation Bill, were ordered to be read a third time the next day.

The Houſe went into a Committee upon the Pawnbrokers' bill, when, at the deſire of Mr. Wilberforce, after a few words from Mr. Roſe, Mr. Mainwaring, and Mr. Percival, the Chairman was directed to aſk leave to ſit again on Friday; which was ordered.

Sir. *F. B. Jones* wiſhed to know when the papers ordered on Friday laſt were to be preſented.

The *Speaker* informed him that the order had been ſent to the Clerk of the Peace for the county of Middleſex on Saturday morning, and that moſt probably the return would ſhortly be made.

The *Chancellor of the Exchequer* preſented a meſſage from his Majeſty, which was read, and was to the ſame purport as that delivered by the Duke of Portland to the Houſe of Lords.

The meſſage was ordered to be referred to a Committee of Supply the next day.

The *Chancellor of the Exchequer* preſented a copy of the Convention entered into between his Majeſty and the Emperor of Germany, dated June 20, 1800, which was ordered to be laid on the table.

RICE.

The Houſe reſolved itſelf into a Committee, to conſider of the exportation of rice, and came to a reſolution, that it would be expedient to prevent the exportation of rice for a term to be limited.

The Houſe being reſumed, a bill was ordered to be brought in, purſuant to the above reſolution.

INCLOSURE BILLS.

The Houſe in a Committe, on the ſuggeſtion of the Speaker, reſolved that it would be expedient to conſolidate all the orders reſpecting Incloſure Bills into one act, and a bill was ordered to be brought in.

The other orders of the day were poſtponed. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 16.

On the order of the day being moved for taking his Majeſty's meſſage into conſideration,

Lord *Grenville* obſerved, that the Houſe, at the beginning of the ſeſſions, had agreed that the objects of the war would be

be conſiderably promoted by making alliances with the powers on the Continent, and granting them pecuniary aid; and as the Meſſage then before the Houſe was to that effect, it would be unneceſſary for him to ſay any thing upon it. By agreeing to the addreſs which he had then to propoſe, their Lordſhips would give the beſt proof of their attachment to his Majeſty's Government, and their determination to adopt the beſt means of procuring a peace conſiſtent with the honour and ſecurity of this country, and with the welfare and independence of Europe.

The addreſs was then moved and agreed to unanimouſly.

The Earl of *Liverpool* ſaid, counſel might be heard the next day, but he wiſhed to poſtpone the ſecond reading of this bill to Monday, becauſe the evidence could not be printed by the next day, it being the rule of the Houſe not to read a bill a ſecond time, until the printed evidence given upon it was laid on the table; and it would not be in his power to be in the Houſe on Friday.

The bill was accordingly ordered to be read a ſecond time on Monday. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JULY 16.

The Houſe went into a Committee to conſider of the importation of Swediſh herrings, and came to a reſolution that it ſhould be allowed for a limited time.

The Houſe went into a Committee on the bill for the improvement of the Britiſh fiſheries; which was ordered to be reported the next day.

The Income Bill was read a ſecond time, and ordered to be committed the next day.

The Hop Duty Bill, the King's Property Bill, the Poor Childrens' Indenture Indemnity Bill, and the Naval and Tranſport Service Embezzlement Bill, were read a third time and paſſed.

The General Incloſure Bill, and the Rice Exportation Prohibition Bill, were brought up, read a firſt time, and ordered to be read a ſecond time the next day.

The Official Papers Printers' Indemnity Bill was reported, and ordered to be read a third time the next day.

On the motion of the *Chancellor of the Exchequer*, a ſelect Committee was appointed, to conſider of enlarging the

Houſe of Commons, preparatory to the legiſlative union with Ireland.

Mr. *Tierney* wiſhed to know if the propoſal for a treaty with the Emperor, was made on or about the day on which the convention is dated?

The *Chancellor of the Exchequer* ſaid, that the propoſals were offered to the court of Vienna very early in the ſpring, ſoon after the meſſage to the Houſe from his Majeſty reſpecting a ſubſidiary treaty with the Emperor.

WAYS AND MEANS.

On the order of the day for the Houſe going into a Committee of Ways and Means, being read,

The *Chancellor of the Exchequer* moved, that the account of the produce of the Conſolidated Fund for the quarter ending the 5th July, 1800, ſhould be referred to the ſaid committee, which being agreed to, the Houſe now reſolved into a committee.

The *Chancellor of the Exchequer* opened to the Committee, in a ſhort ſpeech, the general ſtate and produce of the Conſolidated Fund. He took his criterion from the account laid on the table, and which had been that evening referred to the Committee, of the produce of that fund ending the 5th of July, 1800, namely, 5,675,000l. and he eſtimated the ſurplus of three quarters, the period for which he has actually taken credit, at 5217,000l. This exceſs is to furniſh the means of providing for the ſupply to be granted to his Majeſty towards the further expences of the year. The right honourable Gentleman entered into the uſual calculations, to ſhew how the exceſs aroſe; and having exhibited the grounds of his ſtatement, he proceeded to obſerve, that the circumſtances of the country, and the flattering proſpects of an abundant harveſt, pointed out an obvious increaſe of the duties on malt, for inſtance, which was this year much diminiſhed, owing to the ſcarcity; but the expected increaſe of the crop of barley naturally led him to truſt that his calculations in this place would be found correct. The failure of this laſt year's crop was caſual, and therefore he would take the average produce of the duty, rather than the amount of any ſingle year. After converſing with the perſons moſt acquainted with this ſubject, he had eſtimated the addition to the revenue from this ſource at 500,000l. The ſame auſpicious circumſtances naturally opened a further and additional

tional ſource of revenue. Laſt year the produce of the duties from the diſtilleries in Scotland was neceſſarily diminiſhed, but this year, ſuppoſing the harveſt to turn out as he fondly hoped, an increaſe would ariſe in this way of about 100,000l. Beſides theſe, the further ſums of 300,000l. partly re-payments, and partly remittances on out-ſtanding accounts, and two ſums of 50,000l and 150,000l. ariſing from contingencies, would give an added total of 500,000l. under another head. The right hon Gentleman here recapitulated the figures, and having clearly ſupported the reſult aſſumed by him in his opening, he concluded by moving, "That there be iſſued 5,200,000l. out of the monies to ariſe from the Conſolidated Fund, towards the ſupply to be granted to his Majeſty."

Mr. *Tierney* wiſhed the eſtimate had been for the whole four quarters, as had been the cuſtom. He entered into a counter calculation, and appeared to be of opinion, that either owing to miſ-ſtatement, or to a fallacy in the quotations of the Chancellor of the Exchequer, a ſum about 2,300,000l. would ſtill be wanting, allowing all the items of the right hon. Gentleman, to make up the 5,200,000l. The hon. Member minutely detailed the figures, from which he inferred that reſult, and expreſſed a deſire to hear the matter further explained by the Chancellor of the Exchequer.

The *Chancellor of the Exchequer* obſerved, that with reſpect to the objection of the hon. Gentleman to the eſtimate for three quarters only, he would juſt remind the Committee, that this was done in order to avoid as much as poſſible, doubtful calculations. One quarter was paſt, and by taking that as the criterion, the ſolidity of fact was given to the reſult, inſtead of leaving opinions to be formed on conjecture. He now curſorily reviewed his ſtatement in his opening ſpeech of the ſeveral ſums, from which he inferred the ultimate exceſs on the Conſolidated Fund, and ſhortly explaining acroſs the table the material parts of that ſtatement, he deduced moſt irreſiſtibly that the exceſs was as he had originally ſtated.

In this opinion Mr. Tierney now appearing in a great degree to concur, but having alluded to the Income Tax,

The *Chancellor of the Exchequer* added, that he had no doubt but the bill to explain and amend the Income Tax, joined to the improvement in the mode of collecting it, would make the annual produce almoſt, if not fully, amount

to ſeven millions and a half, the ſum at which it was originally eſtimated.

The reſolutions being put and agreed and to, the Houſe was reſumed, and the report ordered to be received the next day.

COLD BATH FIELDS.

Sir *F. Burdett Jones* gave notice, that he would make a motion the next day reſpecting the priſon in Cold Bath Fields.

An order was made for printing the papers preſented this day by the Clerk of the Peace for Middleſex, in purſuance to the order of the Houſe, on the ſubject of the Gaol, &c.

The *Chancellor of the Exchequer* wiſhed to know what the hon. Baronet meant to move for the next day.

Sir *F. B Jones* anſwered, that the purport of his motion would be to obtain leave of the Houſe to examine certain perſons at the bar on the matter ſtated in the papers he had recently read to the Houſe.

Mr. *Sheridan* ſaid, that what he wiſhed was to get at the facts collected by the Traverſe Jury, when laſt they viſited the gaol, which happened on the 4th of June. and they were not diſcharged until the 5th, the day following.

Mr. *Yorke* obſerved, that he had underſtood the quarter ſeſſions ended on the 31ſt of May, which occaſioned his remarks on this ſubject the other evening. This information was given him by the worthy magiſtrate (Mainwaring) near him.

Colonel *Elford* ſaid, that the paper alluded to could not be laid before the Houſe. It was not an official document.

Mr. *Sheridan* thought the queſtion properly was, "Are the facts capable of being proved by evidence?" It was of little importance to him whether the gentlemen of the Traverſe Jury were examined, or whether the paper was produced. As to the paper itſelf, he contended that it was in all the material points a genuine report. It recited a ſpeech of near two hours of the Foreman of the Traverſe Jury to the Court of Quarter Seſſions.

The *Chancellor of the Exchequer* regretted that he was not preſent when the diſcuſſion on this ſubject took place on a recent evening. He had heard but a very curſory report of what paſſed on that occaſion. With reſpect, however, to the paper ſo much alluded to, it appeared to him impoſſible to produce it; becauſe it was not delivered to the Court of Quarter Seſſions, but was ſent by individuals after they had ceaſed to be a jury. It was ſtated that the Foreman of the Traverſe Jury delivered

livered a ſpeech, detailing in ſubſtance all that the paper contained. Now no paper drawn up in ſuch a manner, and under ſuch circumſtances, could be properly conſidered an official report. But how ſtood the fact as to this Traverſe Jury? The fact was, that no paper whatever from the Traverſe Jury could be regularly brought into the Houſe. It was exclnſively the duty of the Grand Jury to ſtate by preſentment the exiſtence of any nuiſance, but the Traverſe Jury was ſolely appointed to try the iſſue of caſes left by the Grand Jury. Undoubtedly every juſt care, every becoming jealouſy ſhould be always exerciſed in caſes that related to the liberty of the ſubject; and thus if a great injury could be proved to ariſe to individuals from the operation of a law, or if a great public evil could be manifeſtly traced and unfolded, it became Parliament to interfere, yet whatever might be the hardſhip ſuſtained by any one individual, much as it was to be wiſhed to conſult the feelings of humanity, the Houſe would act inconſiſtent with what was due to general ſecurity, if it were to become a grand inquiſition to try that, which it probably belonged to other courts to try and to remedy.

Mr. *Sheridan* admitted that the Houſe ought not to interfere in ordinary caſes, but the right hon. Gentleman muſt know that the Houſe was in a peculiar ſituation, having interfered in a former ſeſſion on a repreſentation of the maladminiſtration of the gaol in Cold Bath Fields. As to the diſtinction attempted to be maintained between the Grand and Traverſe Jury, it ſignified nothing. Neither the Grand Jury nor the Traverſe Jury could be admitted to inſpect the gaol without an order from the magiſtrates; and having received that order, the Traverſe Jury was placed in the ſame ſituation as the Grand Jury, as to its competence to make a report to the Quarter Seſſion The Traverſe Jury made a remonſtrance with the Quarter Seſſion, and ſo far its eligibility was recognized. But it was ſaid that a ſufficient caſe was not made out to juſtify the interference of Parliament. He muſt ſay, however, that having the preſentment of the Grand Jury, and the ſubſequent report of the Traverſe Jury, with its ſuggeſtions to the ſucceeding jury on the ſubject of exiſting abuſes, a very ſtrong caſe was made out, ſuch a caſe as called loudly for the interference of the Legiſlature. Would gentlemen ſay that it was fitting to appoint a committee laſt year without ſuch documents, and this year ſhut their eyes when evidence was adduced? The parties could not go to the

the King's Bench; they were priſoners, and had not the means to obtain redreſs that way. Upon the whole, therefore, he wiſhed to know whether the right hon. Gentleman would admit an examination.

The *Speaker* here obſerved, that no examination could regularly take place without firſt appointing an enquiry.

Mr. *Mainwaring* now roſe, and was proceeding to diſcuſs the general queſtion, when

The *Speaker* called him to order.

The *Chancellor of the Exchequer* ſaid, that moſt certainly it would always afford pleaſure to hear the worthy magiſtrate, but he ſubmitted whether, if it was the general wiſh on both ſides the Houſe to purſue the diſcuſſion further, it would not be proper to move for the production of the paper, or ſome ſuch motion, which would open to a regular diſcuſſion.

Mr. *Sheridan* now roſe to move for the paper alluded to. He took a haſty view of the topics previouſly diſcuſſed, and urged that as it was of a law he complained, only the Legiſlature could remedy the abuſes. The Court of King's Bench had no juriſdiction that could reach the evil; it could not order any alteration of the ſtone floors, the food, &c. which was regulated by act of Parliament. He concluded by moving for a copy of any communication made by any Traverſe Jury to the Court of Quarter Seſſions ſince the 29th of May laſt.

Mr. *Mainwaring* re-ſtated, in ſubſtance, what he ſaid on a former occaſion, relative to the notes given in by the Traverſe Jury to the magiſtrates. The Foreman of the Traverſe Jury did not ſpeak ten minutes, and merely ſtated ſome abuſes they had diſcovered, and wiſhed the Court to attend to. No report was made to the Court A letter was indeed ſent to this Houſe, including a copy of the paper which had been ſo often mentioned; this was not an official communication. He thought it ſtrange that gentleman ſhould call for an enquiry, becauſe every circumſtance now ſtated was before the Committee laſt year. The caſe of Jones—the food—the general government—every thing, in fine, except the caſe of Mary Rich, was laid before that Committee, diſcuſſed moſt fully, and a report made accordingly to the Houſe. There being, therefore, nothing new, there certainly was no neceſſity for entering on any enquiry.

Mr. *William Dundas* conſidered the paper as containing merely the opinion of individuals, in no reſpect acting in an official capacity. He oppoſed the motion.

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The *Attorney General* could by no means admit that the Traverſe Jury had a right to make the alledged report. It were to intrude on the province of the Grand Jury. This could never be done without creating a miſchievous confuſion of functions. He conſidered the paper, therefore, as not a little deſerving reprehenſion and animadverſion; and muſt add, that the Court appeared to have paid too much attention to the Traverſe Jury. A Mr. Dickie, the Foreman of this jury, ſent the paper to the next Traverſe Jury, whereas he ought to have gone to the Grand Jury, and made oath of the circumſtances alledged in the pretended report, but he did not; hence (added the hon. and learned gentleman) "I muſt conclude the report is not true, but a mere calumny." He thought it unneceſſary to go into any enquiry.

Mr. *Sheridan*, in explanation, lamented that the paper was quite miſunderſtood. The report of one jury was no more irregular than the report of another; and ſo little did it appear that it was falſe and calumnious, that it had been ſent to the next jury. If Mr. Dickie (who, though not in high rank, was an honeſt tradeſman, and entitled therefore to proper conſideration from the Houſe) had been conſcious of having ſtated a falſehood, it was very improbable that he would have invited his ſucceſſors in the Traverſe Jury, to make a perſonal ſurvey of the places deſcribed in his report. The hon. Member again preſſed enquiry on the Houſe. If the report was falſe, if it was a calumny, it was the duty of the Houſe to chaſtiſe thoſe who had made it; if it was true, it would be ſhameful to the Houſe not to enter into an enquiry.

The *Chancellor of the Exchequer* reminded the Houſe, that no queſtion of individual ſuffering could juſtify interference. It was laudable to act from feelings of humanity and compaſſion in all caſes, where ſound policy did not require that we ſhould ſuppreſs thoſe feelings to advance the general intereſts of the community. It was part of this general policy to conſider the ſituation of magiſtrates, who voluntarily accepted of offices full of toil and difficulties, the duties of which were often vexatious. Under ſuch circumſtances it required very particular conſideration on the part of the Houſe before it yielded to a motion for an enquiry, on reports, perhaps unauthentic, but which at all events were mere appeals to the feelings of individual humanity. The paper had no formal exiſtence, it was ſent to the Chairman, and

not

not to the Court. He objected therefore, to the motion, becauſe, if agreed to, it might be made a precedent for loading the table of the Houſe of Commons with every looſe trifling paper the fancy or the wickedneſs of individuals might ſuggeſt; and becauſe no legiſlative interference was ſhewn to be neceſſary, either from criminal neglect in the magiſtrates, or on general political grounds.

Sir *F. B. Jones* ſtated, that the motion which he made laſt year was not confined to ſtate priſoners only, but embraced the whole government of the gaol; and that what had ſince that time tranſpired, proved the neceſſity of a minute inveſtigation.

Mr. *Tierney* ſaid, that he obſerved the ſtruggle between the natural humanity of the hon Gentleman (the Chancellor of the Exchequer) and the deſire of oppoſing the enquiry. It ſeemed extraordinary that the magiſtrates ſhould deſire to evade an enquiry, for he ſhould have expected they would have been anxious to have it go on. But there ſeemed a deſire, on the part of ſome members, to withhold all information which could enable the Houſe to come to a deciſion upon the ſubject. Why he wiſhed for an enquiry, was not merely becauſe they had gone into one laſt year, but becauſe it now appeared that their reſolution was contradicted by the facts which had ſince come to light. It was now manifeſt that the priſon was not well managed, that there did exiſt great and crying oppreſſion, and that appeared from the authentic preſentment of a Grand Jury. They ſtated, that it was a good priſon for perſons convicted, but a very improper one for perſons not convicted. Now were the ſtate priſoners convicted perſons? Therefore there was enough upon the preſentment of the Grand Jury, without at all recurring to the ſtatement of the Traverſe Jury; he declared ſolemnly that he thought a ſtronger caſe could not well be made out, and he thought the Houſe owed it to the country that they ſhould go into the enquiry, and either clear the character of the magiſtrates, or prove that the ſtatement of the Traverſe Jury was falſe and calumnious as had been ſtated.

The *Attorney General* explained.

Mr. *Percival* obſerved, that the whole debate had been irregular; that the queſtion was for the production of a particular paper, and that the argument of the laſt hon. Gentleman had gone to the queſtion of enquiry. He oppoſed the production of the paper as unauthentic.

Mr.

Mr. *Mainwaring* denied that he had any wish to evade enquiry, and declared that he never wished his conduct, in any part of his life, to be shielded from enquiry.

Mr. *Tierney* bore testimony to the able and upright conduct of that hon. Gentleman, and assured him that he meant nothing personal to him.

The *Speaker* regretted that the hint which he had thrown out of the irregularity of the present debate had not been attended to. He hoped that, on a future occasion, the House would be more attentive to their own rules.

The question was then negatived without a division.

Mr. *Sheridan* enquired when the presentment of the Grand Jury had been referred to the Prison Committee.

Mr. *Mainwaring* replied on the 1st of June.

The other orders of the day being disposed of, the House adjourned.

HOUSE OF LORDS.

THURSDAY, JULY 17.

Mr. Garrow was heard for a considerable time as counsel for the suitors for the London Company Flour and Bread Bill, and in reply to the arguments of the counsel against the bill, and their inferences from the evidence adduced at the bar from the witnesses they severally called and examined. He brought no evidence himself in support of the bill.

It was then ordered that the evidence of the petitioners be printed.

And the Duke of *Clarence* moved that their Lordships be summoned for Monday next, which was appointed for the second reading of the bill.

Earl *Stanhope* said, he held in his hand a petition from Mr. Francis Chalmer, of Liverpool, corn-merchant, which he would read. This petition stated the circumstance of his having presented a petition to be heard by counsel against the London Company Bill, which, after the order for hearing him had passed, and after he had attended with his counsel and witnesses for several days at great expence and trouble, had been discharged. And it proceeded to say, that if he had been heard, he should have proved by evidence from the Custom-house, that 265,180 quarters of wheat had been the annual importation for the last 19 years; that this fact proved that England did not grow enough for its own consumption, and must depend on a foreign import: that up to the year

1793, the import of corn was always left to the merchants, and while it was ſo left, the quartern loaf was generally at 6d, and never exceeded 9d.: that in 1794, *a power* interfered, the operation of which was preciſely what this bill would create: the Britiſh merchant did not dare to import, and the conſequence was, that in 1795, 1796, the quartern loaf roſe to 15d.; but, after various experiments to lower the price, it was again left to the merchants: that thus called upon, the importation of the merchants, in a few months, amounted to 1,780,000 quarters of corn, in conſequence of which the quartern loaf was ſold for 7½d.; but though the people received this plentiful ſupply, many of the merchants were ruined, and the greater part ſuffered immenſe loſſes: that the petitioner propoſed to prove that the ſame kind of injury to the merchants would be produced by the operation of this bill; ſince, by having it in their power to lay up a ſtore, and to bring that ſtore to market in ſuch quantities, at ſuch times, and in ſuch manner as they might think proper, the importation of the merchants might be met by ſtores which might reduce the price below the prime coſt of the commodity; that almoſt the whole of the foreign corn brought into Liverpool, inſtead of being imported by Britiſh merchants in Britiſh ſhips, has been imported by foreign merchants in foreign ſhips, by which the ſupply had neither been ſo early nor ſo plentiful, as it would have been if the Britiſh merchant had been left to the freedom of his natural enterprize; and that this is the reaſon of the preſent high price of foreign corn: that the petitioner would have proved that the preſent bill, inſtead of remedying the evil, would increaſe it, by abſolutely driving the Britiſh corn-merchant out of the trade of importation: and therefore praying that moſt honourable Houſe not to ſuffer a bill pregnant with ſuch calamity to paſs into a law.

The noble Earl, after reading the petition, preſented the ſame, and moved, that it do lie on the table.

The Earl of *Liverpool* ſaid, that this was a petition from the ſame perſon who had petitioned before. They ſurely could not attend to every perſon whoſe individual intereſts might provoke him to petition. Beſides, as it ſtruck his ear, it contained no prayer. The petition alſo contained ſome ſtatements which were not correct.

Earl *Stanhope* ſaid that the prayer was diſtinctly, that the bill ſhould not paſs into a law.

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The Lord *Chancellor* ſaid, the prayer of the former petition, upon which the Houſe had decided, was, that the bill ſhould not paſs into a law.

His Royal Highneſs the Duke of *Clarence* ſaid, that, as he recollected, the prayer of the former petition was to be heard by counſel and witneſſes againſt the bill.

The former petition was taken from the box, and it was found to be as his Royal Highneſs had ſtated.

The Earl of *Liverpool* ſaid he had no objection to the petition lying on the table.—Ordered.

Earl *Stanhope* preſented a petition, ſigned by a number of individuals, againſt the bill, intituled "An Act for the better preſervation of Timber in the New Foreſt," praying to be heard by counſel againſt the ſame; and ſetting forth that the properties of the ſubſcribers would be particularly injured if the bill paſſed into a law. His Lordſhip moved that the petitioners be heard by counſel againſt the ſaid bill.

The Lord *Chancellor* ſaid, there was nothing in the bill which might not be altered in the Committee, and as the bill had been read a ſecond time, counſel might be heard before the Committee. He could not, however, but obſerve, that the purport and operation of the bill muſt have been groſsly miſrepreſented to the ſubſcribers, to have induced them to put their names to ſuch allegations as were contained in the petition.

The Clerk of the Table ſuggeſted to the Lord Chancellor that the Committee on the bill ſtood for that day.

The Lord *Chancellor* then obſerved, that the petition ought to have been preſented earlier. Counſel obviouſly could not be heard before the Committee, and the petitioners had ſurely had time enough to come forward before.

Earl *Stanhope* roſe again in great warmth to reprobate ſuch a mode of proceeding, declaring that if the Houſe went on thus from day to day refuſing to hear petitioners whoſe properties were at ſtake, it would occaſion much diſcontent in the country, and be conſidered as great injuſtice to the ſubject. His Lordſhip contended that petitioners had a right to be heard, and ſaid that there was an indecent precipitation in hurrying a Bill, which affected the properties of ſo many individuals, through both Houſes of Parliament.

The Earl of *Liverpool* defended thoſe who brought in the Bill from the imputation of having hurried the Bill in the ſmalleſt degree. The Bill had been three weeks in the other Houſe, and had been very fully debated, before the

mon newſpapers of the day could have informed his Lordſhip. Neither had it been at all hurried through that Houſe. It had been printed before the ſecond reading; no oppoſition had been offered to it, nor had there been the ſmalleſt attempt at precipitation. The petitioners, therefore, had moſt undoubtedly had ample opportunity of preſenting their petition before.

Earl *Stanhope* ſaid, was the noble Earl ſo ignorant of Parliamentary forms as not to know that a petition againſt a bill could not be preſented to that Houſe while it was pending in the other?

The *Lord Chancellor* ſaid, the Bill did not affect private property in the manner the noble Earl had ſtated it to do. Every man who thought himſelf injured by it had his legal remedy. The right to trial by jury was not taken away by it, but a plaintiff might have the intervention of a Jury to do him juſtice in common with the reſt of his Majeſty's ſubjects in any other caſe that could occur.

It was at length determined that the petitioners ſhould be heard on the third reading, which it was underſtood would be on Tueſday next.

The Bills on the table were read a ſtage each.

The Royal Property Bill, the Thames Police Bill, the Inſanity and Treaſon Bill, and others, were brought up from the Commons, and preſented by Mr. Percival, Mr. Douglas, and others, and read a firſt time each. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 17.

The hon. Mr. *Townſhend* took the oaths and his ſeat.

The River Thames Police Bill, and the Printers Indemnity Bill, were read a third time and paſſed.

The Encloſure Conſolidated Bill was read a ſecond time, and ordered to be committed on Monday.

Mr. *Roſe*, moved, that there be laid before the Houſe an Account of the Amount of the Cuſtoms and Exciſe, &c. from the year 1793, to the year 1800, making out the account of the laſt year from the 5th July, 1799.—Ordered.

Mr. Roſe alſo moved for an account of the demands outſtanding on the 5th November laſt, and not provided for by Parliament.—Ordered.

The Bill for prohibiting the Exportation of Rice, was read a ſecond time, and ordered to be committed the next day.

The

The Income Tax Explanatory Bill went thro' a Committee, and the report was ordered for the next day.

The Report of the Committee of Ways and Means was received, and a Bill ordered purſuant to the Reſolutions.

The Treaſon Regulation Bill was read a third time, and paſſed.

Mr. *Roſe* moved for leave to bring in a Bill to Indemnify the Governor of Surinam, who in breach of the Navigation Act had allowed the Importation and Exportation of Goods in Neutal Bottoms; leave was granted, and the Bill brought in, which was read a firſt time.

Colonel *Gaſcoyne*, in a Committee of the whole Houſe on the Bill for preventing unlawful Combinations among Workmen, moved that it be an inſtruction to the ſaid Committee, that they have power to repeal an Act paſſed laſt ſeſſion, for preventing Unlawful Combinations among Workmen.

Colonel Gaſcoyne obſerved, that as many of the clauſes ſtood verbatim as they were in the Bill of laſt year, and as moſt of the amendments he had to move to other clauſes were of a verbal nature, he ſhould not detain the Committee with any comments.

After a ſhort converſation between the Attorney General, Mr. Pitt, Mr. Percival, Mr. Sheridan, and Mr. Tierney, the different clauſes were agreed to, and the Houſe being reſumed, the Report was ordered to be received the next day.

Sir *F. Burdett* ſaid, that, at the expreſs wiſh of many Gentlemen who could not attend in their places this day, he was deſirous to defer his motion for an enquiry into the ſtate of the Cold-bath-fields Priſon till Monday next.

Mr. *Maimwaring* wiſhed to obſerve, that as the proceedings of the magiſtrates, relative to the ſtate of the priſon, previous to the report of the Juries, were not included in the order of the Houſe, as among the papers to be produced, he was, however, ready to bring that paper forward, which he had read to the Houſe upon a former day, and which contained a detail of the articles that were wanting in the priſon, ſuch as rugs, beds, blankets, &c.

Mr. *Tierney* thought it very proper that this paper ſhould be produced.

The *Chancellor of the Exchequer* could not ſee the neceſſity of producing it, eſpecially as it was poſſible the Houſe would not interfere at all in the buſineſs.

Mr. *Sheridan* contended that the paper in queſtion contained

ed very material information. It acknowledged the want, or the unſerviceable condition of the moſt neceſſary articles, ſuch as beds and blankets; and, therefore, it was of conſequence that it ſhould be laid before the Houſe.

The *Speaker* here interfered, and obſerved, that as a return had been made in ſtrict conformity with the order, the preſent converſation reſpecting it could not be altogether regular.

The *Sheridan* then moved, that there be laid before the Houſe a Return of all the Reports made by the Governor of the Priſon to the Magiſtrates ſince the firſt of January laſt, and of the meaſures adopted in conſequence of the ſame.—Ordered.

Mr. *Mainwaring* thought it neceſſary to ſupply the deficiency that was left in the returns before the Houſe, and he was the more anxious that nothing ſhould be left deficient in this point, as he was obliged to be on Monday next in a diſtant county, and conſequently ſhould not be able to attend the further diſcuſſion of this matter.

Sir *F. Burdett* profeſſed himſelf willing to poſtpone his motion till the next day ſe'nnight, if that delay would better accommodate the worthy magiſtrate.

Mr. *Tierney* did not ſee that the attendance of the worthy magiſtrate was ſo materially neceſſary, and obſerved that the very advanced period of the ſeſſion could not well admit of ſo long a delay.

The motion of Sir F. Burdett was again fixed for Monday next.

The *Chancellor of the Exchequer* gave notice, that in addition to the 2,000,000l. which he intended to move for the next day, as a Subſidy to his Imperial Majeſty, he alſo intended to move for a further ſum of 1,400,000l. as a Vote of Credit, excluſive of the ſum payable for the Ruſſian troops, and for the Bavarian Subſidy.

Mr. *Tierney* wiſhed to know what was the amount of the ſum to be paid for the Ruſſian troops and for the Bavarian ſubſidy?

The *Chancellor of the Exchequer* replied, that 600,000l. was to be paid to the Elector of Bavaria, and 550,000l. for the Ruſſian troops; and that theſe ſums were excluſive of the Vote of Credit, and of the Imperial Subſidy.

Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, JULY 18.

The Earl of *Weſtmoreland* brought up a meſſage from his Majeſty, calling upon the Houſe to give its concurrence to ſuch meaſures (vote of credit) as ſhould be conſidered neceſſary to enable his Majeſty to provide for ſuch extraordinary expences of the war as the exigency of affairs might require. The ſame having been read, the Earl moved an humble addreſs to his Majeſty, thanking him for his moſt gracious communication, and aſſuring his Majeſty of the cordial concurrence of that Houſe in all ſuch meaſures as might be deemed neceſſary to ſupport his Majeſty in a vigorous proſecution of the war. Ordered.

Earl *Stanhope* roſe to move, that a meſſage ſhould be ſent to the Commons, to deſire that they would tranſmit to their Lordſhips a copy of the minutes on their journals relative to the proceedings on the third reading of the bill for incorporating certain perſons into a company for manufacturing flour, bread, &c. His Lordſhip complained of the proceedings here alluded to, as being marked by unuſual haſte, and contended they were alſo irregular. He mentioned an inſtance of irregularity in the caſe of one of the Members voting.

The *Lord Chancellor* left the woolſack. He ſaid there never was a more irregular motion than the one which their Lordſhips had juſt heard. The weather was hot, and perhaps we were under the influence of the dog-ſtar; he was quite certain their Lordſhips would think with him, that ſomething unuſual led to ſo unprecedented a motion.

Earl *Stanhope* ſaid, that however the learned Lord might cut his jokes about the dog-ſtar, he was not to be driven from his motion. The proceedings of the Commons were evidently irregular, but if noble Lords would not correct ſuch flagrant deviations from cuſtom, he muſt leave them to their more mature reflections.

The motion was now put, and the Houſe divided,

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On

On the motion of Lord *Gwydir*, a Committee was appointed to conſider of the plan for enlarging the Houſe.

The bills on the table were forwarded in their ſtages. Adjourned.

HOUSE OF COMMONS.

FRIDAY, JULY 18.

The Income Explanatory Bill was read a third time and paſſed.

The bill for prohibiting the exportation of rice was committed, and the report ordered to be received on Monday.

The Britiſh Fiſheries Bill was read a third time, and paſſed.

The Pawnbrokers' Bill was committed—Some amendments made, and the report ordered to be received on Monday.

The *Chancellor of the Exchequer* brought up a meſſage from his Majeſty to the following purport:

"That the ſtate of public buſineſs is now ſuch as will ſhortly enable his Majeſty to put an end to the preſent ſeſſion. His Majeſty therefore recommends it to his faithful Commons to make proviſion for ſuch extraordinary expences, in addition to the ſpecific engagements he may have entered into, as may be neceſſary for the furtherance and benefit of the public ſervice."

The order of the day being read for the Houſe to reſolve itſelf into a Committee of Supply.

The *Chancellor of the Exchequer* moved, That the copies of the treaties mentioned in his Majeſty's moſt gracious ſpeech might be referred to the ſaid Committee. Ordered.

COMMITTEE OF SUPPLY.

His Majeſty's meſſage relative to the treaty with the Emperor of Germany, having been read by the Chairman of the Committee,

The *Chancellor of the Exchequer* ſaid, that the motion which was about to ſubmit to the Committee for their conſideration, and, he truſted, for their adoption, related to the fulfilment of the engagements which his Majeſty had entered into with his ally the Emperor of Germany. He could not feel that there was the leaſt neceſſity for ſaying any thing to induce the Houſe to agree with the motion, for the reaſons upon which its neceſſity was founded were ſo very obvious and

and apparent, and compriſed in ſo few words, that the meſſage of his Majeſty had already ſtated as much as could effectually be ſaid upon the ſubject. He was ſure that it was in the recollection of the Houſe, and therefore he need but advert to the reſolutions paſſed in February laſt, agreeing to the neceſſity of forming a concert with his Majeſty the Emperor of Germany and other princes of the Empire. In voting a ſupply to enable his Majeſty to carry that concert into effect, they had given their opinion upon the policy, and ſanctioned the wiſdom of the meaſure. That the meaſure was founded in ſound policy, the events of the war had fully eſtabliſhed, notwithſtanding reverſes had of late taken place; but upon the review of all that had taken place ſince that time, it had made the wiſdom and policy of that conduct ſo manifeſt, that he was ſure he ſhould be abuſing the indulgence and patience of the Committee, if he were to attempt to eſtabliſh it by argument. Subſequent to that plan of concert in operations, many had been the events of the war. At firſt the exploits were brilliant, and our ſucceſſes rapid; but it was alſo true, that of late there had been ſome reverſes to Auſtria. But all that had been done proved that we had received beyond doubt or queſtion the moſt vigorous co-operation from the Auſtrian arms, and that we had ſecured to ourſelves and received the full benefit of that meaſure, which it had been our policy to ſecure. We had now to judge of it under circumſtances of the heavy reverſes which had of late taken place; but unleſs ſubſequent events could alter the nature and character of the meaſure, we were ſtill bound both in honour and policy to fulfil it. The treaty had been completed and ratified at Vienna before the account of the late diſaſtrous events had reached that capital, and, from ſubſequent communications we had every reaſon to believe that, notwithſtanding the alteration of affairs in Italy, Auſtria would not be deficient in fulfilling her part of the contract. Under ſuch circumſtances, whether we ſhould adhere to the treaty and faithfully perform our ſtipulations, was a queſtion rather to be ſtated than argued. The good faith, the honour, the magnanimity of Great-Britain, would never ſuffer herſelf to be driven from the path of rectitude by the diſaſtrous events of war. The viciſſitudes of good or ill ſucceſs he was ſure would have no influence upon a queſtion of good faith and honour, and that we ſhould as ſteadily adhere to our ally in his diſtreſſes, and as willingly perform our bounden duty, as we ſhall gladly participate in his victories, and ſhare in his

glory. This ſentiment he was ſure muſt be congenial to the Engliſh character, and to Engliſh feelings, that he truſted on that day he ſhould not hear one word, nor even a whiſper of oppoſition throughout the Houſe. The queſtion of intereſt and prudence alſo lay in as narrow a compaſs as the former one. That we ſhould not abandon our ally was ſo very clear, that the man who would propoſe it would be as ſhallow in political wiſdom as he would be callous to honourable feeling in propoſing to do it on the former ground. Whatever may have been the reſult of events in Italy, it was clear that it could never be the intereſt of this country to ſeparate herſelf from her ally, but that we ſhould do every thing to enable that ally to retrieve her paſt misfortunes, and for proſecuting, in future, the war with energy and vigour, while there ſhould be a neceſſity for continuing it at all; as it was by adopting that line of ſound policy that we could alone hope for a termination of hoſtilities with honour and ſecurity. It was by that conduct we ſhould be enabled to avail ourſelves of an opening for peace, when it preſented itſelf and was practicable. Upon every ground, therefore, he truſted that it was manifeſt our good faith ought not to be ſhaken by diſappointment, or rendered leſs firm by reverſe and preſſure; but ſo far from it, that the only effect it would have would be to make us, if poſſible, more firm in our conduct, and more tenacious of our character. Thus much as to the general queſtion, upon which he did not at all think it neceſſary to enlarge. The Committee would doubtleſs recollect that in the ſtatement of ways and means for the year, in February laſt, accounts were laid before them for ſervices which were then ſtated, but the amounts of which were in a great degree conjectured; but the whole of thoſe expences were nearly equal to the vote he ſhould that night propoſe. The Committee would recollect that he then propoſed two millions and a half for the Emperor of Germany and the Elector of Bavaria, beſides an addition of 500,000l. for the Ruſſian troops. The ſpecific ſum which he ſhould now propoſe would be two millions for the Emperor, and ſomewhat more than 500,000l. for the Elector of Bavaria: beſides this, there would be a ſum for the troops of the Emperor of Ruſſia, agreeable to treaty, amounting to the ſum of 545,000l. In addition to theſe articles there were ſome others which made it amount to little more than three millions. The Houſe would recollect, that in February he ſtated there was a ſum of 371,000l. neceſſary for unforeſeen ſervices. He meant

now

now to move for the ſum of 1,400,000l. but before he ſat down, he wiſhed to recapitulate the leading articles of the expenditure of the former vote. There were other powers of Germany which it was propoſed to ſubſidize, but the events of the war had now made it doubtful how far they could, with prudence and ſafety to themſelves, be brought into the confederacy; but ſuppoſing thoſe treaties to have taken effect the expence would be about 400,000l. There was alſo another ſum remitted to the Emperor of Germany on another ground. When, at the beginning of the campaign, by a reverſe, he loſt the whole of his magazines, his Majeſty, who was then negociating a convention, did not heſitate to aſſiſt his ally even before it was concluded, and to manifeſt his intention of a hearty and effective co-operation; he remitted to the Emperor the ſum of 150,000l. towards replacing the loſs ſuſtained by the magazines falling into the hands of the enemy. There were alſo other charges for the expences of the foreign corps: ſuch as the corps de Condé and ſome Swiſs troops, which, upon a rough eſtimate, might amount to about 400,000l. But the whole of theſe charges had not exhauſted the ſum voted; and he now ſhould propoſe to vote the ſum of 1,500,000l. making in the whole, with the former vote, 4,000,000l. He concluded by moving, that the ſum of 1,500,000l. ſhould be granted to his Majeſty, to enable him to make good his engagements with the Emperor of Germany.

Mr. *Jones* ſaid, he had little thought that this was a treaty, by which Great Britain was to give the Emperor of Germany another loan of two millions; and he was ſtill more ſurpriſed to find that no intereſt was to be paid on this loan. This circumſtance did not look very like a ſpeedy peace, and until he was aſſured that it was the intention of Miniſters to embrace the firſt opportunity of entering into negociations, he would enter his proteſt againſt any more money being ſent out of this country. From the treaty itſelf, he ſhould preſume that money had already been ſent away to the Emperor. Although it was agreed that neither of the contracting powers ſhould receive overtures for peace without the conſent of the other, he muſt inſiſt, that from the conduct formerly purſued by the Emperor, there was no reaſon to rely on his good faith. He wiſhed the Chancellor of the Exchequer would pauſe and reflect on what he was about, eſpecially in ſo thin a Houſe as there was then ſitting. It being early in the evening, the Members had not yet aſſem-

bled in any conſiderable number] and from the few Members who were preſent, one would think it was a turnpike, or pawnbrokers bill, that was about to be paſſed inſtead of ſending millions of money out of the country for no one purpoſe but that of prolonging the miſeries of war. If the Miniſters perſiſted much longer in this conduct, he would find himſelf ſtopped in his career by the burſt of public opinion that was now univerſally prevailing in the country. He would find that the country could no longer bear the burthens that were heaped upon it, nor that the war in which it was engaged ſhould become a *Bellum internecinum*. The right hon. Gentleman would ſoon find that it was not in human nature itſelf (on which he had ſo much relied) that a war could go on in the manner in which this did. With theſe ſentiments he would give his decided negative to the motion.

Mr. *H. Brown* was of opinion, that the committee had no reaſon for entertaining any diſtruſt of the good faith of the Emperor of Germany; he was ſo far from conſidering this treaty as an impediment to a peace, that he thought it would have a contrary effect. If the Emperor of Germany was to make a ſeparate peace with France, there could be no doubt that the proſpect of peace for this country would be placed at a great diſtance. Though he was far from thinking that a general peace might not be the reſult of this meaſure, yet he hoped this country was in a condition to carry on the war with vigour, if a peace upon honourable and ſecure terms could not be obtained. This country was far from being in the ſituation which had been deſcribed, and the return of the laſt quarter's revenue was a proof of its proſperity. He was as anxious for the attainment of peace as any man, but he could not lay this country at the feet of France, and was ſure that the gentlemen on the other ſide of the Houſe could not wiſh for peace on ſuch terms. This was not a queſtion affecting merely the intereſts of this country, the fate of Europe depended upon it; and he thought that both theſe objects would be greatly advanced by a ſincere and ſtrong coalition with the Court of Vienna. With reſpect to the reverſes which our ally had ſuſtained, we had as yet but a very imperfect account of them; and even if they were true to the full extent to which they had been ſtated, it ought rather to rouſe us to exertion than ſink us into deſpondency. If the object of the war was, as had been ſtated, to reſtore the Houſe of Bourbon, he would admit that was an object not likely to be obtained. That was not his object;

and

and he had in the early debates which took place upon the queſtion of the war, ſtated that he gave it his ſupport as a war of defence. They had ſucceeded in protecting their lives and their property; a moſt formidable rebellion in Ireland had been quelled; and the naval exertions of this country had raiſed it to the higheſt pitch of glory. He was, therefore, for continuing the war, until we could obtain a peace upon ſafe and honourable terms. The conduct of the emperor had been extremely noble: for it ſhould be recollected, that he did not enjoy the ſame ſecurity that we did from our inſular ſituation; yet notwithſtanding the danger to which he was expoſed, he had perſevered in his engagements with the greateſt good faith. Under theſe circumſtances, he ſhould ſupport this treaty as highly advantageous for this country, either as the means of procuring peace, or of enabling us to proſecute the war with vigour.

Mr. *Martin* ſaid he never ſo much lamented his want of abilities to expreſs his ſentiments as on the preſent occaſion. It had always been his opinion, that connections with foreign powers were miſchievous to ourſelves, and productive of miſery and bloodſhed to the reſt of Europe. Of all people in the world, we were the leaſt juſtified in forming ſuch connections, having ſo many means of defending ourſelves. He had long been fixed in the opinion that our connexion with foreign powers was miſchievous in the extreme. He allowed his Majeſty's Miniſters were poſſeſſed of great abilities, but was ſorry they did not make better uſe of them. What good, he aſked, have we gained by our foreign alliance? The right hon. Gentleman oppoſite to him made uſe of pompous phraſes and high ſounding words about the magnanimity of the country, but for his part he ſaw plainly that the people of this country had been made ſuch egregious dupes, he was determined he never would vote a penny more for foreign ſubſidies or foreign alliances. An hon. Gentleman oppoſite him ſpoke of the wealth and reſources of the country. Gentlemen in eaſy and comfortable circumſtances might very well talk in that ſtile; but they ſhould conſider what the public was ſuffering at this moment. He would do that hon. Gentleman the juſtice to believe that he poſſeſſed a great deal of humanity, and that he was alſo a very good Chriſtian; but he wiſhed the hon. Gentleman would exerciſe a little of his humanity, and, inſtead of patting the Miniſter on the back, and applauding him for perſevering in the war,

that

that he would give him ſome good advice, and think of the diſtreſſes which the people laboured under.

Mr. *Tierney* ſaid he ſhould deſerve ill of his conſtituents, and of Europe in general, if he gave a ſilent vote on the preſent occaſion; and if he did not oppoſe the propoſition laid before the Houſe to the utmoſt of his power. If ever there was an occaſion when the Miniſter ought to have come down to that Houſe in ſackcloth and aſhes, to aſk pardon of the Houſe, and mourn for his paſt conduct, it was on the preſent day; inſtead of that, he came down and called upon the Houſe in a lofty and imperious tone to grant him four millions. He might have had ſome ground for theſe claims had he proved the preſent to be a war of ſelf defence: and if it was ſo, God forbid that he himſelf ſhould not vote and contribute to the utmoſt of his power to ſupport it. He would maintain that it was not a defenſive, but an unjuſt and unneceſſary war, and carried on for the purpoſe of gratifying the ambition of that right hon. Gentleman. The Chancellor of the Exchequer told the Houſe, that he did not expect his motion would meet with even a whiſper of oppoſition, and that he could not ſuppoſe any gentleman to be ſo callous as to object to a treaty, the principle of which had been agreed to at the beginning of the year. He would tell the right hon. Gentleman that the war was now different from what it had been, and that that difference ſprung from the callous temper with which he had received and anſwered the letter of Bonaparte, when he made his overtures for negociation. It was from the date of that letter that the right hon. Gentleman muſt be conſidered as anſwerable for all the unhappy conſequences ariſing out of the continuance of the war. At that time there was no co-operation among the allies; and Miniſters muſt have known that Ruſſia was about to withdraw her troops from the coalition. He would aſk the right hon. Gentleman, if he did not at this moment feel that the ſtability of the Government of France exceeded any thing that had exiſted in that country ſince the deſtruction of the old Government? Did he not know that the city of Paris, for the firſt time ſince the revolution, was without a garriſon, and that the whole country of France was at this time ready to ſupport the Government of that perſon who was at its head? Theſe circumſtances ought to be maturely conſidered, becauſe they would ſhew that the tranſaction was totally altered with reſpect to the preſent treaty being ſimilar

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to the propoſition opened by the Miniſter at the beginning of the year. And it would alſo appear that the circumſtances of the war, as well as the nature of the treaty, were completely altered. In the ſpace of two months the whole of the ſplendid achievements performed laſt year by the Ruſſians and Auſtrians, were almoſt done away; almoſt the whole of the countries they had driven the French from were re-conquered. Under ſuch circumſtances, the right hon. Gentleman muſt go very differently to negociations for peace. But, indeed, he did not propoſe any ſuch thing: he got upon his war-horſe, and expected the Houſe to go with him in the whole of his career. But what could we expect from the preſent meaſure? He could not look to any ſucceſſes obtained by the Emperor as likely to balance the gigantic ſtrides of the French. Could any advantage be expected equal to the injury the country muſt ſuſtain from ſending away ſuch a quantity of money? Muſt not the Miniſter feel that he was confirming the charges ſo frequently thrown out in the French papers—that the gold of England had found its way into every cabinet of Europe, and was the cauſe of prolonging all the miſeries of war! He could not perceive that any thing was to be gained by this treaty, ſuppoſing it to be ſtrictly adhered to, but that the Emperor of Germany would not make a ſeperate peace until the laſt day of February next; or, in other words, that he would fight out the remainder of this campaign, of which not much more than two months remained. But nobody could ſay that the Emperor would maintain this engagement; there was the evidence of facts to ſhew that he would in all probability break it, as he did in the year 1797. He would not now attempt to inquire how far the Emperor at that time committed a breach of faith, or how far he was compelled to make a ſeparate peace, by the critical ſituation in which he ſtood; but he would aſk, whether the ſtate of the German Empire was better at that day than it was at the time of the treaty of Leoben? Was not the very heart of the Empire threatened with irruptions from a powerful army at preſent on the banks of the Danube, and holding a communication with the army in Italy. He might be aſked, whether he would recommend it to the Houſe to deſert our ally? He would anſwer, No. But he muſt tell the Houſe that the treaty was not yet ſigned; and it was neceſſary to know whether both powers entertained the ſame views and objects. The Houſe, on finding a change of circumſtances take place, might,

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without any deſertion on its part, refuſe to fulfil the terms of this treaty. Was it not the duty of the Houſe to enquire why a ſum of one hundred and fifty thouſand pounds ſhould have been ſent over to Germany, for no other reaſon but becauſe the Emperor's magazines had been burnt. The burning of the magazines might have been ſaved if Government had ſix months before liſtened to Bonaparte's overtures of peace. As far as it was better to ſend money to employ foreign troops than to ſend Engliſh ſoldiers on the ſame ſervice, ſo far he was a friend to ſubſidies. but he could not ſee what advantage the ſubſidies in queſtion could produce. If they ſhould cauſe a vigorous proſecution of the war, he would aſk whether that was likely to bring about a peace. Twenty millions out of the ſixty-four granted for the ſupply of the preſent year was already vigorouſly ſpent in the proſecution of the war, while the brave and ſkilful Gen. Abercrombie was now in a ſtate of inactivity in the Mediterranean, where, if he had been three months before, he might have co-operated with our allies, and rendered them the greateſt aſſiſtance. Another brave and ſkilful officer, whom he had the happineſs of being intimately acquainted with, was vigorouſly employed about the coaſt of France, and all he had an opportunity of doing was to take a few cows lately from the coaſt. Would the Miniſter ſay that the war was not more vigorouſly carried on in France now than it was ſix months ago? At that period the Miniſter exultingly told the Houſe that the French 3 per cents. were as low as 17 per cent. Let him look at them now, and ſay whether their preſent price, which the laſt Paris papers ſtated to be 32 and 33, afforded any ſymptom of a falling Government. There was nothing in France on which the Miniſter could reſt his hopes of a change in its Government, or of the overthrow of an Uſurper. On the contrary, he would aſk, when there ever was a period ſince the Revolution when the youth of France came forward with more enthuſiaſm to fight the battles of their country than the preſent? Did they ever ſhew more enthuſiaſm under any leader, than under that perſon who now governed France? and it was not for conqueſt they were fighting, but for peace! Peace was the general cry throughout France, and any power that was underſtood to retard, or be hoſtile to it, the people were ready to fight againſt. The ſubſidy now intended to be ſent to Vienna, might ſerve to ſtrengthen the reſources of the Emperor, but could not in the ſmalleſt degree bring about a peace. The

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true queſtion for the conſideration of the Houſe was, whether this war, after the overtures received laſt winter, was neceſſary, and could it be avoided with ſafety? If it was ſhewn to him that it was neceſſary, he would vote ten times as much as the ſum in queſtion. He believed in his conſcience that a peace might be brought about between England and France in the courſe of one month. But he expected no ſuch bleſſing while the preſent Miniſter remained in office. It was impoſſible that he and the perſon at the head of affairs in France, whom he had ſo much abuſed, could ever come to an amicable underſtanding together, and therefore he muſt look to other men to bring about this wiſhed-for object. He declared that he looked with as much horror as any man at the gigantic ſtrides which had been made by France, but he did not ſee when we were to obtain that ſecurity which was talked of by the hon. Member. Even ſuppoſing that all could be retrieved which had now been loſt, would that afford ſecurity? No; for he had the authority of adminiſtration for ſaying, that when affairs were a better poſture, they did not deem it a ſufficient ground of ſecurity. If that was not ſufficient, and that was the utmoſt to be hoped, when was it that we could look for this ſecurity, or when could we hope to have it? He really believed that the conduct of the Britiſh Cabinet had become the laughing-ſtock of all Europe, for there was nothing in their conduct which entitled them to the name of ſtateſmen. It was true they had ſucceeded in ſome things—they made great boaſt in having increaſed the commerce of the country. But how had they done it? by throwing all Europe into diſcord, and by profiting by the confuſion. But even looking at the treaty itſelf, to what did it go? It merely went to bind the Emperor not to make peace until February next, or in other words as plain as could be, not until he had received the third inſtalment of our money; when that was once in his pocket, it was not clear that he would not make peace immediately, and leave us to contend by ourſelves. Whenever he ſhould get poſſeſſion of our money, then he would have experience and the evidence of facts of the ſtablity of the French Government. He could not conceive why there was to be this waſte of blood and treaſure for no definite object; for if any definite object was ſtated, they then knew for what they had to contend, and might hope to ſee ſome end of theſe calamities. But an hon. Gentleman had ſaid, that we could not now make an efficient peace, it would only be an armed neutrality, or rather a mi-

tigated ſtate of hoſtility; and that therefore we might as well go on with the war. But why did they not try whether Bonaparte was not ſincere in his overtures for peace? If they really found him not ſo, and that we muſt be compelled to go on with the war, then it would truly become a war of defence, and he would endure any thing to ſupport it; but in his conſcience he believed that Miniſters would not make any overtures, becauſe they feared that they might have ſuch terms offered that they could not, and dared not refuſe.—There wanted but a ſincere deſire in both parties, and he was perſuaded that peace might be concluded in a month, but as it was, he ſaw no other proſpect but that in a ſhort time we ſhould have to contend ſingle-handed againſt the whole power of France. Did the Houſe when they contemplated that fact, recollect the ſtate of the country; had they forgot that a ſum of not leſs than ſixty-four millions was raiſed in the courſe of the preſent year, and could they ever believe that the country could go on accumulating ſuch burthens, and adding tax to tax. The proſpect to him was very gloomy, and he thought ought to be well conſidered before they went on voting away million after million to foreign alliances. If he could think that voting the preſent ſubſidy would have any influence in accelerating the period of peace, he would gladly give it his ſupport, but ſeeing no ſuch tendency, he felt that he ſhould not perform his duty to his conſtituents and his country, if he were not to oppoſe it, and therefore he muſt give it his decided negative.

Mr. *Canning* ſaid, that from what he had been able to collect from the ſpeech of the hon. Gentleman who had juſt ſat down, there were three grounds on which the oppoſition to the vote now propoſed to the Committee was attempted to be maintained. Firſt, That an avowed vigorous proſecution of the war was not the way to arrive at peace: Secondly, that the Emperor had not hitherto afforded ſuch a co-operation as juſtified Miniſters for having entered into ſuch engagements as thoſe which were contained in the treaty upon the table; nor was he in a ſituation to afford ſuch co-operation henceforward, as would juſtify the Houſe in fulfilling them: and, Thirdly, that the preſent Miniſters were not fit men to make peace, and that any effort, therefore, for that object, while they remained in office, muſt be of no avail.

With regard to the firſt of theſe objections he ſhould ſay but little: becauſe he was firmly perſuaded that the Houſe

in general, and almoſt every member in it, muſt feel that even if there were no other purpoſe for which this vote was deſirable but that of enabling Miniſters to enter into immediate negociation for peace with greater advantage, the declaration of ſuch a purpoſe in that place would be the ſureſt method of occaſioning its failure; and that in order to treat for peace at any time with a chance of ſucceſs, Miniſters muſt be enabled to treat with the means of war in their hands.

As to the ſecond point, the extent and value of the co-operation already afforded by the Emperor ſince this treaty was firſt in contemplation, and of that which we might ſtill expect from him, he differed widely from the hon. Gentleman. The hon. Gentleman argued ſolely on the iſſue of the laſt battle which had taken place in Italy; and attempted to prove from it, not only that the whole of what the Emperor had hitherto done was nothing worth, and that there was ſtill leſs to be looked for from him in future; and not only that we ought therefore to refuſe fulfilling the engagements contracted with him, but that Miniſters ought to have foreſeen this iſſue, and that they are therefore highly culpable in having contracted engagements which, if they had been poſſeſſed of ſuch foreſight, they would have known at the time of contracting them to be wholly uſeleſs and extravagant.

Now, in the firſt place, it was ſomewhat curious to conſider what was the degree of foreſight which Miniſters were arraigned for not having exerciſed on this occaſion. Was it that they had not foreſeen the intention of Auſtria to abandon the alliance in the courſe of the campaign, or to relax her efforts, to maintain her armies in a ſtate of inactivity, and to proſecute the war in appearances only not in reality? If this had been the conduct of Auſtria, he ſhould have underſtood what was meant by accuſing Miniſters of want of due precaution and prudence; becauſe of the intentions of our ally, it might be argued, it was their bounden duty to inform themſelves accurately before they committed the faith of this country, or hazarded its wealth upon the alliance. If the armies of our ally, when put in motion, had proved weak and inefficient, incapable of making head againſt the enemy to whom they were oppoſed, and in numbers, valour, and diſcipline, miſerably below the point at which we had been taught to rate them, this too might be ground of accuſation againſt Miniſters which he could at leaſt underſtand; for it might be argued with ſome appearance of juſtice, that the

beginning of the campaign, ſhe was not worth having now; and that, after having made theſe engagements with her, we were at liberty to retract them. It was ſaid, that the ſum propoſed would be of no efficient uſe to the Emperor, whoſe armies were deſtroyed, his dominions drained of men and money, and his whole power utterly exhauſted and broken down. It was ſuggeſted, that we had not ſigned the treaty, and that there was, therefore, yet time for refuſing to fulfil it. It was even hinted, that the Emperor could not honeſtly aſk for the fulfilment of engagements, contracted with him under other expectations than thoſe of complete failure and diſappointment; and that when he applied for money under ſuch circumſtances, the application deſerved to be rejected in terms of indignity and reproach. Mr. Canning ſaid, he could not help obſerving that there appeared to him ſomething ungenerous and illiberal in this way of ſeeing the ſubject. He was not prepared to turn round to an ally, the moment that ally became unſucceſsful, and to addreſs him in the language ſuggeſted by the hon. Gentleman's obſervations: "Go: we have now nothing to ſay to you; your claim upon us is at an end. We made alliance with your ſtrength, and you have brought us failure; we bargained with your hopes, and you have given us diſappointment; our engagements were with your good fortune, we abjure all fellowſhip with your diſtreſs!" Such was not the language which he could uſe, nor the ſentiments which he could bring himſelf to entertain, reſpecting an ally, who, with whatever ſucceſs, had certainly fought nobly by our ſide.

Indeed he could not but feel ſome ſurprize at the manner in which gentlemen ſeemed to think it becoming to treat the Emperor on the preſent occaſion. It was not new, indeed, to find in any men—it was the common failing of our nature—a blind admiration of ſucceſs; and he had therefore heard, without much aſtoniſhment, of the expreſſions of admiration which (not on that day, he believed, ſo much as on a former day, when he happened not to be preſent at the debate) gentlemen had beſtowed upon the Firſt Conſul and his victory. But he had hoped that, whatever might be the undiſtinguiſhing and incurable inſenſibility by which vulgar minds are hardened to the perception of real merit, if unaccompanied by ſucceſs; he had hoped, that, with liberal and intelligent minds, though the firſt impreſſion might be, as it had been, that of aſtoniſhment and admiration at the fortune of the victor; the ſecond, and not the leſs powerful nor leſs permanent feeling, would

would have been that of compaſſion and juſt praiſe to the courage, the conſtancy, and the magnanimity of the vanquiſhed. He had thought, that, even if we had been mere unconcerned ſpectators of the great conteſt which had been carrying on in Italy; if we had merely read in hiſtory of ſuch events as had taken place there, and ſuch a reſult as they had led to; we ſhould naturally have ſympathized with misfortune ſo bravely ſtruggled againſt, and ſo manfully borne. And if ſuch would have been the natural feeling in an indifferent caſe, he had imagined (but in this he found himſelf cruelly miſtaken) that even the crime of being our ally, even the diſqualification of an united intereſt and a common cauſe, would not have been ſufficient wholly to deprive Auſtria of a title to our reſpect and compaſſion. He had imagined, that, after being hurried by the firſt impulſe of their aſtoniſhment to mix in the mob that ſhouted at the heels of Bonaparte, gentlemen would, as ſoon as they recovered their reflection, have been eager to do juſtice to the Emperor, by acknowledging the fortitude with which he bore his reverſes, and by doing all that in them lay, to enable him to repair them.

But no. The Emperor was to look for no ſuch comfort, no ſuch credit here. Inſtead of being ſoothed and conſoled under his misfortunes, he was to be taught, with reproaches, that he did not yet rate them ſufficiently high; that he was not aware of their full extent and malignity: inſtead of being encouraged to retrieve his loſſes, and receiving the promiſe of a cordial aſſiſtance, he was bidden to deſpond and deſpair, to conſider his fortunes as utterly hopeleſs and irretrievable, and was even taunted as an impoſtor and a ſwindler for propoſing to us to aſſiſt him in the attempt to retrieve them.

No doubt the hon. Gentlemen muſt know the ſtate of the Emperor's affairs much better than he did himſelf. He could not help feeling, however, that the Emperor's own word went for ſomething in this matter. The hon. Gentlemen put him in mind of a ſcene in a French comedy (he believed one of Moliere's) where a man is made to believe that his neighbour is dead; and an attempt, not quite ſo ſucceſsful, is afterwards made to perſuade the reputed dead man himſelf, that he really is ſo. Preſently after the two neighbours meet in the ſtreet; and the ſuppoſed corpſe not only avers himſelf to be alive, but actually propoſes to borrow money of his friend. The friend is, naturally enough,

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in great indignation at ſuch effrontery. "You borrow money, indeed! a pretty ſtory, truly! Lend my money to you! why you know you are dead; you died yeſterday. I have it from the beſt authority! Poor, dear Anſelm! I am truly ſorry for him—But dead he is, ſure enough, and you get no money of me by pretending to be alive, I promiſe you." Such was really very nearly the ſubſtance of the dialogue which the hon. Gentlemen were for holding with Auſtria. But he, for his part, thought the word of the living man a pretty good anſwer to thoſe who would have proved him dead. And upon nearly the ſame principles he was inclined to admit the evidence of Auſtria, in her own behalf, as proof that ſhe was not ſo utterly undone as the hon. Gentlemen would fain have the Houſe to believe, and would, if they could, perſuade Auſtria herſelf to acknowledge.

The teſtimony of Auſtria, however, the hon. Gentleman contended to be rather ſuſpicious on this point: becauſe, ſaid the hon Gentleman, the Emperor has an intereſt in deceiving us. He wants to finger our money! This, no doubt, was a ſagacious diſcovery; but ſurely, in this inſtance, the ſagacity was a little overſtrained. The money, as the treaty explained, was to be paid by inſtalments, the firſt of which only was now to be made good; and if, after receiving the firſt, the Emperor ſhould fail in the execution of his ſtipulations, no further payment would be made. Where then was the riſk to this country? or what object could Auſtria have, but that which was fairly put forward? If the firſt payment was now made, would it not be made for work done? If General Melas had drawn the draft for it, on the plains of Marengo, would the hon. Gentleman have refuſed to pay it, on the plea that we had not had any valuable conſideration for our money? or, when he conſidered the exertions of Auſtria, from the moment at which this treaty was firſt propoſed, to that in which he now wiſhed us to heſitate about completing it, would he not feel himſelf compelled to acknowledge that the payment, ſo far as was now to be demanded, had been fairly earned? Beſides, the hon. Gentleman had ſaid, in another part of his ſpeech, (where it ſuited his argument) and had ſaid moſt truly, that the whole of the ſum, to be furniſhed by us by way of ſubſidy, was inconſiderable, compared with the general ſcale of the Emperor's war expenditure. See, therefore, what it was that the hon. Gentleman imputed to the Emperor!—what extravagant and incredible folly, as well as wickedneſs; when he repreſented him as purchaſing our

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ſubſidy at an expence which muſt ſwallow up, not the amount of it only, but the whole of the revenues of his own dominions into the bargain;—as exhauſting the blood of his ſubjects, and expoſing his very capital to imminent danger, merely for what?—that he might cheat Great Britain of a ſum of money! Was there ſenſe or probability in this policy? Was it poſſible that any government, or any individual, would play ſuch a game; for ſuch a prize; would hazard their whole fortune, nay, their very exiſtence, in order to have, not the poſſeſſion, but the diſpoſal, of a few hundred thouſand pounds, to be ſwindled from a friend? And even if ſuch were the unaccountable madneſs of our ally, did not the paying by inſtalments give us a ſufficient power to diſappoint even ſo abſurd a deſign the moment that it ſhewed itſelf?

The remaining objection of the hon. Gentleman was one which applied more largely, not to this ſubſidy only, but to every meaſure that went, in any degree, to ſtrengthen the hands of the preſent Miniſters, either for the proſecution of the war, or for the negociation of peace. The hon. Gentleman gave it as his decided opinion that the preſent Miniſters had utterly diſqualified themſelves for conducting the war to an honourable termination, and even for treating for peace with a government, at the head of which is a man whom, as the phraſe is, they had *abuſed* ſo groſsly. Bonaparte, it ſeemed, could never be expected to liſten with patience to the propoſals which ſuch men might offer to him, or to offer to them any terms, but ſuch as it would be diſgraceful and diſaſtrous for the country to accept. Mr. Canning ſaid, that as he was himſelf no panegyriſt of Bonaparte, he was not intereſted in refuting this calumny upon his character, which his admirers were, unaccountably, ſo forward in throwing upon it. *He* was not the perſon to proclaim Bonaparte as a hero, excelling in every great quality of the mind all thoſe who have gone before him in ancient or modern times: but if he had been ſuch an enthuſiaſt in his admiration of Bonaparte, he ſhould have felt it rather aukward to mix with theſe praiſes an imputation of ſuch meanneſs, ſuch littleneſs of feeling, of ſuch a poor, creeping, puſillanimous ſpirit, as was implied by ſaying, "this great man, with all his magnanimity, has one trifling peculiarity,—he cannot bear to be ſpoken of with diſreſpect; he never treats with any government who have talked lightly of his character and conduct; it is a rule with him not to do ſo; rather than conclude a peace with ſuch men, he will continue the ravages of war, the diſ-

treſs of his own country, the interruption of 'the happineſs of private families,' all of which he has himſelf told us he naturally wiſhes to avoid more than any man alive; but he will continue them for ever, rather than negociate with men who have ſpoken ill of him!". How far this might be the character and feeling of this extraordinary man, thoſe who moſt admired him were certainly beſt qualified to tell.

For my own part, (ſaid Mr. Canning) having taken ſome ſhare in former debates, in which that which is called abuſe of Bonaparte was neceſſarily introduced, I am not ſorry to have an opportunity of ſaying a very few words upon this ſubject; eſpecially as I underſtand that, beſide what has fallen from the hon. Gentleman to night, much more has lately been ſaid in this place (which I had not the good fortune to hear) of the unmanlineſs of the attacks which were made on the character of the Firſt Conſul, at the period when his overtures for negociation were declined, and of the ſhame which thoſe who had any part in this language are now ſuppoſed to take to themſelves, and the anxiety which, it is apprehended, they muſt feel to retract and diſavow all that they then ſo raſhly and illiberally uttered. Now, Sir, as I feel no ſhame, and entertain not the ſmalleſt diſpoſition to retract any thing that was then ſaid, I wiſh to explain the principles on which I ſpoke, and upon which I now maintain whatever I did then ſay.

I do not know whether the hon. Gentleman will quite underſtand me, becauſe I do not know that we ſet out to argue this matter from the ſame principle; and if not, there is no hope of our coming to any underſtanding. My principle, Sir, is ſimply this. There is but one thing, which I never wiſh to forbear ſpeaking when called upon, and which having ſpoken, I can at no time feel aſhamed of, nor conſent to diſavow, retract, or qualify; and that is—the *truth*. If what was ſaid of Bonaparte was *untrue*, that is an accuſation of which I know the meaning, and which, if need be, I am prepared to argue. But if it was *true*, I confeſs I am at a loſs to conceive what ſhame there was in making the declaration, or where is the neceſſity for contradicting it. If indeed the nature and eſſence of truth were capable of being altered by ſubſequent events, there might be ſome call for caution in uttering it, and there might be ſome room for qualification afterwards. But if this be not the caſe, I really do not comprehend what is meant, by deſiring us, who ſaid what we thought of Bonaparte's paſt actions at the time when we were called upon to examine

examine them, and who ſtill think preciſely what we then ſaid of them, to take any ſhame to ourſelves for our language. I at leaſt ſtill think as I then thought; and I do not ſee what ground the events of the laſt campaign can furniſh for changing my opinion. If, for inſtance, in Bonaparte's invaſion of Egypt (for that was one of the points more particularly brought forward in thoſe diſcuſſions) there was treachery and fraud; if in his conduct towards its inhabitants there was unprovoked cruelty; if in his aſſumption of the turban, there was impious hypocriſy; I called theſe qualities by their name, I call them ſo ſtill: and I ſay that this hypocriſy, this cruelty, and this fraud, have left indelible ſtains upon his character, which all the laurels of Marengo cannot cover, nor all its blood waſh away. I know, Sir, there is a cautious, cowardly, baſtard morality, which aſſumes the garb and tone of wiſdom, and which preſcribes to you to live with an enemy as if he were one day to become your friend. I diſtruſt this doctrine, amongſt other reaſons, for this one moſt eſpecially, becauſe I fear the ſame mind which would pride itſelf on adopting it, would be capable of entertaining the doctrine which is the converſe of it, and would preſcribe living with a friend as if he were one day to become an enemy. If this be wiſdom, I do not boaſt nor deſire a ſhare of it: I can only ſay, heaven grant me a hoſt of ſuch enemies, rather than one ſuch friend!

So much, Sir, as to the moral queſtion upon this point. But then as to the practical reſult: what is it that gentlemen are afraid of? Do they ſeriouſly apprehend that with ſuch declared opinions of Bonaparte's perſonal character, Miniſters can never treat with him? Nothing ſurely can be more viſionary than ſuch an apprehenſion. If the nation, with which we are at war, thinking (I ſuppoſe) for reaſons of its own more favourably of his character, or from whatever other motive, chooſe to make this man the depoſitary of the ſupreme power of the ſtate, and the organ of its intercourſe with foreign countries, Miniſters may lament, they may be ſurprized at ſuch a choice; but where did gentlemen learn that between theſe Miniſters and a government, whoſe character and principles they diſapproved, there could be no treaty? Not from the experience of the preſent war; for in the time of the good old Directory what floods of abuſe were poured upon our Miniſters from the reading-deſks of the Aſſemblies! and yet I never heard this urged as an impediment to treaty either on the part of France or of this country.—Not from the hiſtory of former wars; for in the wars againſt

Louis XIV., the addreſſes carried up from this and the other Houſe of Parliament, nay, the ſacred lips which ſpoke from the throne of this kingdom, breathed ſtronger invectives againſt that monarch, than are to be found in any of the ſtate papers ſo much complained of for the harſhneſs of their language towards Bonaparte. And yet I never heard that theſe juſt invectives were conſidered as throwing any obſtacle in the way of negociation; or that when the time of negociation came, the concluſion of peace was, in fact, retarded by them. But perhaps there may be ſome diſtinction to be taken; perhaps the dignity of a lawful ſovereign will bear without wincing rougher language, than that with which it is decent or delicate to tickle the ears of an uſurper.

But neither, Sir, was the attack upon the character of Bonaparte a wanton and unprovoked attack, as the hon. Gentleman would repreſent it. When Bonaparte challenged us to acknowledge and act upon the ſtability of his government, before it was three days old; we doubted, as well we might, the ſtability of ſuch a government, and thought all probabilities againſt it. To clear up our doubts, he referred us to his perſonal character, as the pledge both for the permanency of his power, and for the uſe which he would make of it. What were we to do? to acquieſce without examination in what we heartily and in our conſciences diſbelieved? or to examine the value of the pledge which was offered us, and to give our reaſons for not being willing to accept it? We preferred the latter alternative, as in fairneſs and in common ſenſe we were compelled to do. What ground, then, had we to eſtimate Bonaparte's perſonal character, but his paſt actions? Theſe, therefore, we were obliged to ſcrutinize; in ſcrutinizing them we were ſtruck with their deformity; and that deformity we were obliged to expoſe to the world as a juſtification for our conduct.

If the event has contradicted the expectations which it was natural to form under the circumſtances of the time; if the extraordinary and certainly unlooked-for ſucceſſes of the campaign have given ſtability to Bonaparte's power (for the preſent at leaſt, whatever may,—and muſt, in all human probability,—be the ultimate fate of a power ſo acquired, and reſting upon ſuch foundations), if the battle of Marengo, though it did not overthrow Auſtria, has had the effect of completing and riveting the ſubjugation of France itſelf, by confirming the authority of the Conqueror of Marengo; undoubtedly this change of circumſtances may authorize and warrant

rant a change of policy: and ſuppoſing the time to arrive when negociation would be in other reſpects proper, undoubtedly (ſpeaking my own individual opinion) I ſhould ſay, that the queſtion as to Bonaparte's power would not now ſtand, as it before did moſt neceſſarily ſtand, in the way of negociation.

It is, indeed, not ſurprizing that ſome gentlemen ſhould wiſh to inculcate the apprehenſion that an inſurmountable obſtacle to peace exiſts in the perſonal reſentment, and perſonal antipathy between Bonaparte and the preſent Miniſters of this country, as the obvious cure for ſuch an incompetency on the part of Miniſters here would be to remove them; and I have been told that the proper ſteps have already been taken in this Houſe to adverti ſe for the ſucceſſion to them. The uſual and approved method on theſe occaſions is, I believe, for a gentleman to contend with all his might for the neceſſity of a change; and while he argues that fitter men muſt be found to replace the preſent Miniſters, to diſclaim for himſelf any pretenſion or wiſh to be ſelected for that purpoſe. Hereupon the Houſe is expected to expreſs by ſome token of acquieſcence its approbation of the change, and its diſſent from the ſelf-diſqualification of the propoſer. And "upon this hint he ſpeaks."—But this hint, I am told, the Houſe unluckily did not give on the occaſion to which I allude. The change was propoſed; the expediency of ſpeedy new appointments ſuggeſted; the ſelf-diſqualification ſtated; but, all this while, the Houſe did not appear to be at all moved; and ſo the thing fell flat: and for the preſent, at leaſt, no change of Miniſters ſeems to be required.

The one plain queſtion now before the Houſe is, whether or no they will enable thoſe Miniſters, while they have the conduct of affairs, to conduct them in ſuch a manner as may make either war vigorous, or peace attainable? or whether by the refuſal to ſanction the engagements which they have entered into with an ally, who has certainly fought the battle ſtoutly during this campaign, and who declares himſelf ſtill ready to perſevere in our alliance, Miniſters are to be diſabled from either continuing the war with effect, or negociating with credit or advantage? It is for this Houſe to conſider, whether the intereſts of the country will be beſt promoted, its character beſt maintained, and an honourable peace ultimately beſt ſecured, by breaking our engagements; by ſlackening our exertions; by giving proofs of bad faith, cowardice, and puſillanimity; by turning our back upon our ally, and reſigning ourſelves to a blind and ſtupid admiration of the proweſs and fortunes of our enemy;

enemy;—or by fulfilling our engagements in the ſame ſpirit in which they were contracted; by furniſhing the means of carrying on the war with vigour, in order that we may meet the hour of negociation with dignity and confidence in ourſelves; and by determining that, in whatever event, we will have nothing to lay to our own charge; that we will ſecure, under all circumſtances, the conſolation of not having been wanting to ourſelves or to others; and of having, while we have provided moſt effectually for our own ſafety and honour, done, at the ſame time, all in our power to afford to the other ſtates of Europe the means of preſerving their ſecurity and independence.

One word, and only one word, more, upon a part of the hon. Gentleman's ſpeech, which I had nearly overlooked. The hon. Gentleman tells us, that Great Britain is become, by the folly of her preſent Miniſters, the dupe of moſt of the powers of the Continent, and the laughing-ſtock of them all. I would anſwer this from another part of the hon. Gentleman's ſpeech, in which he has alſo told us, (and it was ſome comfort to hear it) that ſuch is the envy which the ſituation of this country has excited throughout Europe, that we are in imminent danger from a confederacy, formed for the expreſs purpoſe of reducing our exorbitant power and greatneſs. Now, Sir, how both theſe things can be true, I am at a loſs to conceive. Contempt and envy do not uſually exiſt together with reſpect to the ſame object. But if they be both true, and if the effect of the miſgovernment of Miniſters has been only to encreaſe the power and proſperity of the country; if, through their blunders, we have been duped into wealth, and deceived into aggrandizement; if we have been deluded and miſled into a degree of greatneſs and power, which excites the jealouſy of our deluders; happy is that country whoſe miſconduct turns out ſo fortunately for itſelf; and long may ſuch miſconduct, if ſuch be its conſequences, continue! *Velim, mehercule, cum iſtis errare, quam cum aliis recte ſentire!*

Mr. *Nicholl* ſaid he would ſupport the motion of the Chancellor of the Exchequer, becauſe he thought the lending of ſubſidies to the Emperor would retain him in his alliance with this country, in her endeavours to procure peace on favourable terms. He believed that was the object and wiſh of the Chancellor of the Exchequer, who, he was ſure, differed widely from the followers of the late Mr. Burke, who wanted to eſtabliſh the antient *regime* in France—to

eſtabliſh

eſtabliſh that government which the people had overthrown and deteſted. That object was now unattainable. The Miniſter knew that; but it would not be prudent in him to tell what his immediate object was; and it would not have been wiſe in him on that day to inform the Houſe that it was his wiſh or intention to negociate for peace. He differed widely from his hon. Friend (Mr. *Tierney*) in one of his aſſertions; he believed the Chancellor of the Exchequer could make a peace with Bonaparte, whom he conſidered a man of too great a mind to be actuated by petty reſentments; or to be prevented by perſonal animoſity from attaining that which he knew the whole country of France ſighed for with anxiety. The Houſe, therefore, ſhould ſupport the Miniſter, whoſe duty it was to endeavour to obtain a peace as ſpeedily poſſible, and who ſhould not attempt to meet Parliament next ſeſſion, whatever might be the crime of the Emperor, without having it in his power to inform them that this bleſſing was obtaining, or being able to give ſatisfactory reaſons why it could not be procured.

The firſt Reſolution was agreed to without a diviſion.

The *Chancellor of the Exchequer* then moved the following reſolutions, which were ſeverally agreed to.

Reſolved, That it is the opinion of this Committee, that a ſum, not exceeding 545,494l. be granted to his Majeſty, to enable him to make good the like ſum, paid from the civil liſt, on account of the colony of New South Wales.

Reſolved, That it is the opinion of this Committee, that a ſum, not exceeding 779l. 11s. 6d. be granted to his Majeſty, to enable him to make good the like ſum iſſued to defray the expences of the Police Office at Wapping.

Theſe were followed by ſeveral others, by which the ſum of 680l. 18s. was voted to certain perſons who had ſurveyed ſeveral roads in North Britain on account of Government. The ſum of 827l. 12s. to defray the expence of the office for auditing the accounts of the Crown; 177l. 15s. ½d. for the purpoſe of paying bills drawn upon New South Wales; 370l. 9s. 6d. to the clerks of the Houſe of Commons; 2250l. to the executor of the late Sir W. Chambers, for works done by him in Somerſet-houſe; 1048l. 18s. 6d. as fees upon the 41,000l. granted to the owners of the Mogadore ſhips; 30,000l. to pay bills drawn upon New South Wales; 50,000l.

to

to liquidate the demands of the St. Domingo claimants; 2,000l. to diſcharge the demands of thoſe appointed to ſurvey the King's foreſts; 1,024l. 4s. 3d. to defray the expence of printing the journals of the Houſe of Lords; 4,000l. to defray the charge of the government of Sierra Leone; 3,000l. to the Britiſh Muſeum; 3,000l. to the Board of Agriculture; 5,000l. to be advanced to the Governor and Company of Merchants trading to the Levant Seas; 1,500l. to the Veterinary College: 1,000l. to be paid to Mr. Davies upon his making public his diſcovery of a method of cleaning wheat which is injured by ſmut; and 20,000l. for the purpoſe of repairing the ports upon the coaſts of Africa.

The *Chancellor of the Exchequer* ſaid there was another article, which he had not mentioned, becauſe it would not have been regular, his Majeſty's meſſage having been brought down only that evening. He meant a vote of credit for 1,400,000l.

The Houſe was then reſumed, the report ordered to be received the next day, and the Committee to ſit again on Monday.

The *Speaker* mentioned that he ſhould be preſent the next day at two o'clock, to receive the report.

The Houſe then went into a Committee of Ways and Means; when the three following reſolutions were agreed to, on the motion of the Chancellor of the Exchequer:

Reſolved, That it is the opinion of this Committee that towards making good the ſupply granted to his Majeſty, the ſum of 3,000,000l. be raiſed on Exchequer Bills, to be charged on the firſt aids granted next ſeſſion of Parliament.

Reſolved, That it is the opinion of this Committee that the ſum of 3,000,000l. be raiſed on Exchequer Bills, to be charged on the firſt aids granted next ſeſſion of Parliament.

Reſolved, That it is the opinion of this Committee that the ſum of 3,000,000l. be raiſed on Exchequer Bills, to be charged on the firſt aids granted next ſeſſion of Parliament.

The Houſe was reſumed, and the report ordered to be received the next day.

The Committee of Ways and Means were ordered to ſit again on Monday. Adjourned.

HOUSE

HOUSE OF COMMONS,

SATURDAY, JULY 19.

On the motion of Mr. Nicholl, a new writ was ordered to be made out for the borough of Grampound, in the county of Cornwall, in the room of B. Edwards, Esq. deceased.

SUPPLY.

Mr. Bragge brought up the report of the Committee of Supply, the resolutions were all read a first and second time, and unanimously agreed to, except that for granting a sum of 4000l. to the Sierra Leone Company, which was opposed by Mr. Dent, on the ground that nothing appeared to shew that the Company was entitled to such assistance.

The *Chancellor of the Exchequer* said, the Sierra Leone Company was equally entitled as any other to the assistance of the House, and that it would be a bad compliment to place it on a level with any other establishment on the coast of Africa.

Col. Elford, Mr. Long, and Mr. Wilberforce, also supported the resolution. The latter mentioned particularly the Company's carrying at its own expence the Blacks in the British service from Nova Scotia, as a case which gave it a just and additional title to parliamentary aid, as this expence would have otherwise fallen on Government.

The resolution was then also read a second time with the rest, and agreed to.

WAYS AND MEANS.

The report of the Committee of Ways and Means was brought up. The three resolutions which it contained were agreed to, and three bills ordered to be brought in on the same.

The bill for granting a supply to his Majesty was read a second time, and committed for Monday.

On the motion of the Chancellor of the Exchequer, an Address was ordered to be presented to his Majesty, praying that he would order a copy of the Proclamation issued by the Governor of Surinam to be laid before the House, and of the representations in consequence thereof. Adjourned.

HOUSE OF LORDS,

MONDAY, JULY 21.

His Royal Highness the Duke of *Clarence* presented a petition from the Merchants of London, importers of corn,

againſt the London Flour and Bread Company Bill; ſtating that the powers propoſed to be granted to that corporation of buying and laying up corn in ſtore, would diſcourage them from importing corn, and would alſo tend to prevent foreign merchants from conſigning corn to the port of London, and praying to be heard by counſel againſt the ſame.

The order of the day being moved and read for the ſecond reading of the bill for incorporating a number of perſons, to be called "the London Company for the manufacturing of Flour, Meal, and Bread,"

The Earl of *Liverpool* roſe, and ſpoke in favour of it at conſiderable length. He had conſidered the bill, he ſaid, with great attention, and the more he had conſidered it, he was the more firmly convinced of its expedience. The circumſtances of the country were ſuch, with regard to its ſupply of corn, as loudly to call for the adoption of ſome new regulations. The quantity of wheat grown at home was not nearly ſufficient for the home conſumption, and this year we ſhall, upon a moderate calculation, have paid to foreign countries, for 700,000 quarters of wheat imported, the enormous ſum of 5,060,000l. This was a drain of wealth which no country could bear. The evil was likewiſe a growing one. He had examined accurately the quantity of corn imported during the laſt forty years, and he had found that the quantity imported was greater every five years than it had been the five which preceded them. The balance of trade was thus likely to become more and more againſt us. Our commerce was flouriſhing beyond example, but all the advantages we would naturally derive from it were counterbalanced by this continual loſs. The evil was great in every point of view. The labouring part of the community, the prop of thoſe above them, ſuffered incredible hardſhips. The quartern loaf was now one ſhilling and ſixpence farthing, and the price of it was ſo precarious, that it was quite impoſſible to aſſize the rate of wages, and make it bear ſome proportion to the price of proviſions. If ſome ſteps were not ſpeedily taken, the moſt ſerious conſequences might enſue. To remedy theſe evils, and to prevent theſe conſequences, a number of perſons, from the moſt patriotic and benevolent views, had deviſed an inſtitution which was calculated to produce the happieſt effects. Of theſe perſons ſix were Peers of the realm, and the reſt were Commoners, moſt reſpectable from their rank, their opulence, and their knowledge. Lord Sheffield, whoſe experience was ſo great, and the heads of the Eaſt and Weſt

India, the Ruſſian and Portugueſe trades, were all patroniſers of the meaſure. He mentioned this circumſtance to ſhew that no intereſted motives could poſſibly have given riſe to the bill, and that in the opinion of the moſt able judges, its principle was good. There could be no doubt that their opinion was right, and that it would be attended with the moſt ſolid advantages. At preſent there was no competition. This eſſential point he hoped to be able clearly to eſtabliſh. In the firſt place, it appeared from the evidence which had been heard at the bar, that within theſe thirty years the machinery has been ſo much improved, as to enable a mill to grind double the quantity it formerly could, and yet the price of grinding had, notwithſtanding, increaſed. The great merit of Sir Richard Arkwright was, that by his mechanical inventions he ſo far facilitated the ſpinning of cotton, as to enable us to underſell all foreign nations. The natural conſequence of ſuch diſcoveries was to reduce the price of the work, and this could alone could be counteracted by ſome unlawful combination. Another argument might be drawn from the exceſſive profits of the millers. Mr. Charles Pratt being aſked what profit would ſatisfy him upon a ſack of flour value 3l. ſaid 2s.; but being aſked how much he expected upon his capital, ſaid from 15 to 18 per cent., and it is well known that the millers turned over their capital ſix or ſeven times a year. While the Albion Mills were in exiſtence, from a calculation which he held in his hand, and believed to be correct, ſtating, that ſix buſhels of wheat would make in value what was equal to a ſack of flour, the millers made only 2s. 10d. upon a ſack of flour; for five years after they made 3s. 11d.; for the four next years they made 9s. a ſack; and for the laſt ſix or ſeven months they had made the enormous ſum of 13s. Could any one then doubt that they leagued together to defraud the public and to oppreſs the poor? In times of ſcarcity he allowed that their profits ſhould be greater; but could any one ſay, that they were entitled to the ſums which they at preſent exact? There could be little doubt that they hoarded up the grain, and ſold it out as it ſuited their intereſt. Mr. Claude Scott ſtated, that he had bought 40,000 ſacks of flour at one time, without in any degree affecting the market; and that he could have bought as much more, and not have produced any material alteration. From the eſtabliſhment of a company of the nature propoſed, monopoly would be completely deſtroyed, and a briſk competition formed between that company and the pre-

ſent millers, to the unſpeakable advantage of the public. The uſe of ſtandard wheaten bread, which would thus be introduced, was likewiſe by no means to be forgotten, nor the opportunity which would be afforded of framing an accurate exciſe. He did not ſpeak only from abſtract reaſoning, he had experience and analogy on his ſide. In the year 1795, during which ſuch ſufferings were experienced from ſcarcity, no part of the kingdom ſuffered ſo much as the town of Birmingham. Owing to the ſituation which he held, he was almoſt torn to pieces by applications that he would ſtrive to alleviate its diſtreſſes. When the preſent ſcarcity began to be felt, he expected to be importuned in a ſimilar manner; but, to his great ſurprize, remained unmoleſted, and, upon enquiry found that it enjoyed the greateſt abundance, and that the quartern loaf was there ſold at a much lower rate than it could be procured for in any other part of Great Britain. This wonderful change he diſcovered to be entirely owing to the eſtabliſhment of the Union Company, an inſtitution in every reſpect reſembling that now in queſtion, and which he verily believed to have ſuggeſted it; ſome diſcredit had been attempted to be thrown upon this company in another place, but theſe witneſſes had not dared to give ſuch evidence at the bar of their Lordſhips; if they had, he did not ſcruple to ſay, they would have been completely contradicted. That company, although it ſupplied with bread a great proportion of the inhabitants, who were eſtimated at 70,000, was in the moſt flouriſhing condition; and the only reaſon why their accounts had been made up was, that the ſubſcription might be re-opened, ſuch was the exceſſive eagerneſs of candidates to gain admiſſion to it.

His Lordſhip ſaid he would now take a view of the topics which were urged as objections to the bill. In the firſt place it was ſaid that it would cramp the freedom of trade. "From Dr. Adam Smith the freedom of trade had become a very faſhionable phraſe, and was in every body's mouth. It was, however, but ill underſtood, and the doctrine had been carried to exceſſive length by that philoſopher himſelf. I knew him, ſaid the noble Lord, and highly reſpected him: he had even occaſion to conſult me upon ſome parts of his book, but from many of his doctrines I muſt beg leave to diſſent. He borrowed them from the French œconomiſts, a ſet of men who were not leſs extravagant in their opinions with regard to trade, than the late French politicians in their opinions with regard to political liberty; and the commerce of this

this country would ſuffer as much if the principles of the former were to be acted upon, as our ſocial happineſs, if we were to be guided by thoſe of the latter. Every branch of trade requires ſome regulations, and none ſo much as that trade which deals in the neceſſaries of life. A perſon may refuſe to buy a coach, or a houſe, if he thinks them extravagantly dear, but bread he muſt purchaſe, let the price be ever ſo exorbitant and unreaſonable. With regard to this article, the buyer is a ſlave, and the ſeller is his tyrant. I wiſh to ſee every branch of trade properly regulated, and an inſtitution of this nature erected in every town throughout the kingdom.

His Lordſhip then adverted to the argument drawn from the violation of private property. He allowed that the profits of the millers would be diminiſhed; but they ought to be diminiſhed, as at preſent they were exorbitant. No one would be injured by the bill. It did not appear that any mill had been ſhut up upon the erection of the Albion Mills, or that any miller had greatly ſuffered. Both the millers and the bakers, in the neighbourhood of Birmingham, continued to flouriſh, notwithſtanding the formation of the Union Company. A few trifling inconveniences might be occaſioned; but theſe were by no means to be compared to the advantages which would certainly be reaped by the public. After expatiating at great length upon this topic, and adducing various other arguments, his Lordſhip concluded by giving his hearty vote for the ſecond reading of the bill.

The Earl of *Weſtmoreland* lamented that he ſhould have the misfortune to differ on this important ſubject with the noble Earl; and the reſpect which he had for his high opinion made it neceſſary for him to ſtate the reaſons why he ſhould feel it to be his duty to oppoſe the ſecond reading of this bill. He was willing to pay every poſſible tribute to the good intentions of the noblemen and gentlemen who had been called the band of patriots; but he might be allowed to queſtion the efficacy of their project, though he did not doubt the beneficence of their motives. He was inclined to diſſent from this bill, becauſe the promoters of the bill had neither proved a neceſſity for the meaſure, nor offered a ſingle argument to convince the Houſe that if there was a neceſſity this would remove the evil. That it would be a bill moſt ſevere and cruel upon a number of individuals, againſt whom no one act of improper conduct had been proved, though the bill threw out inſinuations againſt them; and, finally, he oppoſed

it,

many thouſands of pounds ſhort of their propoſed ſubſcription. Who knows that the jobbers may not ſubſcribe the 50,000l, which is yet left unfilled up, in order to get the management into their own hands, and convert it into a moſt dangerous inſtrument? Many of the perſons on the liſt are known to be men of character and integrity. Are they all ſo? Can you anſwer for the remainder? Can you anſwer for its continuing in the ſame hands? Is it not a poſſible caſe that it may come even into the hands of factious perſons, who may uſe it to the worſt purpoſes? Surely it is a moſt unwiſe thing to erect ſo gigantic an eſtabliſhment under the eyes of the people. The Albion Mill was nothing in compariſon with it. Its capital was not nearly ſo large; but they were reſponſible to the laſt ſhilling, as all traders ought to be, for their tranſactions, and by that means they were deterred from deep ſpeculations. It appears, however, that towards the concluſion of their working they did ſpeculate, and by the evidence on the table, it appears alſo that they were not averſe to combinations. I conſider this as a very ſtrong argument againſt the preſent meaſure. All theſe enormous eſtabliſhments run into abuſe: they ſet off plauſibly: they affect to be for the public good. They underſell the fair trader to ruin him, that they may get the whole into their own hands. My Lords, I diſtruſt theſe innovations, however plauſible their pretexts. The moſt miſchievous and the moſt fatal meaſures are thoſe which ſet out under ſhowy and patriotic pretexts; but which unveil themſelves as ſoon as they have obtained an eſtabliſhment. This band of patriots may ſoon diſappear. They may be joined and even out-manœuvred by others. The eſtabliſhment may excite popular odium. It may even again be reduced to aſhes by the calamity of fire, and that after it has ſucceeded in demoliſhing the many millers, by whom London now derives its ſupply, from a thouſand channels unſeen, and by thouſands of perſons unconnected and unknown to one another. I conclude, therefore, my Lords, in ſaying, that I muſt diſſent from this bill, for theſe reaſons; becauſe it throws out inſinuations againſt bodies of men, is calculated to raiſe clamour againſt them, and not one of which inſinuations has been proved, becauſe it will greatly affect, if not ruin, the property of a number of perſons who have inveſted their property in flour mills; and, thirdly, becauſe it will be in its conſequences moſt injurious to the country.

His

His Royal Highneſs the Duke of *Clarence* paid a high compliment to the talents, knowledge, and zeal of his noble friend, the Earl of Liverpool, and lamented that he ſhould differ from him on any queſtion of trade. He was aſſured, however, that his noble friend would be happy to hear every argument that could be urged on a meaſure pregnant with ſuch conſequences as the preſent; ſince, as he had only taken up the bill ſince it came into Parliament, he might ſee that he had taken it up on a miſconception of its tendency. He certainly had not thought, from the bare title of the bill, that it was a meaſure of the conſequence which he found it; or that, under the title of a bill to incorporate a company to manufacture flour, meal, and bread, an eſtabliſhment was to be erected, which would grow into a monopoly of the ſtaff of life. He was totally unaware of the magnitude of the object until he came down to the Houſe on Tueſday laſt.—But now, from the arguments of counſel, followed by the evidence of a number of moſt intelligent perſons, unimpeached and unanſwered, he was convinced that a bill of more dangerous innovation, with leſs apparent neceſſity, had never been introduced into that Houſe. Not one witneſs had been called by the promoters of the Bill—not one of their allegations had they attempted to ſubſtantiate—not one of the teſtimonies againſt the bill had they even endeavoured to confute. Mr. Garrow, indeed, had made a ſplendid ſpeech at the bar; but the bright and ſparkling ſallies of a lively imagination, would not weigh with their Lordſhips againſt the ſolemn and ſacred declarations of men upon oath, who had been educated in the principles of the Chriſtian religion. The queſtion, therefore, came now to be argued with nothing in ſupport of it but aſſertion and conjecture; while there was againſt the meaſure a body of the moſt complete evidence that ever was brought to bear upon any ſubject. With this ſhort preface his Royal Highneſs begged leave to look into the bill; and in the very title he ſaw a moſt extraordinary variation from the uſual, and even from the recent practice of ſuch bills. In the Globe Inſurance Bill it was entitled, "A Bill to enable his Majeſty to incorporate, &c." Here, on the contrary, it was entitled, "A Bill to incorporate;" ſo that it was not to be referred to his Majeſty, with the advice of the Law Officers of the Crown, to affix the great ſeal to this charter. He did not make this obſervation from any idea of queſtioning the omnipotence of Parliament; but he begged leave to ſay, that this part of the royal prerogative

was no doubt veſted in the crown, for the wiſe purpoſe of ſubjecting charters to the ſtrict ſcrutiny of the legal adviſers of his Majeſty, that the rights and immunities of all and every body of his Majeſty's ſubjects ſhould be preſerved, and that privileges ſhould not be granted which might entrench upon thoſe of others, be contrary to exiſting ſtatutes, or be injurious to the people at large. This at leaſt had been the wiſe and ſafe practice hitherto; and ſurely a ſtrong caſe ſhould be made out as a ground for departing from the uſual and accuſtomed path. If he was wrong in this obſervation he ſhould be happy to be corrected by any noble Lord; but, ſurely, if it was right to depart from this form, by which the charter would be ſure to receive, after the bill had paſſed the Legiſlature, a ſtrict and diſcreet inveſtigation (as had been experienced in the very caſe to which he had alluded—the Globe Inſurance, which had not yet paſſed the Great Seal, though it had ſo long ago paſſed the Parliament) it would have been right and becoming in the parties to have applied ſooner in the ſeſſion, when the bill might have had the advantage of a more full attendance. This was one of his arguments againſt the bill. It was not a period of the ſeſſion at which ſo momentous a concern could be ſufficiently diſcuſſed, and he would add, that the preſent period was of all others the moſt improper for ſuch diſcuſſion. The bill was founded on the ſuppoſition of iniquitous practices on the part of the millers and bakers, and it was brought forward at a period of unexampled ſcarcity, ſo that the promoters of the bill ſeemed earneſt to take advantage of the popular prejudice; and he was ſorry even to ſee a diſpoſition to raiſe a popular cry againſt this moſt uſeful part of the community. Surely their Lordſhips would feel it to be their peculiar province to place themſelves between the parties. The celebrated words of Lord Bacon were moſt applicable to the caſe. Revenge was a ſpecies of wild juſtice which it became the wiſdom of the Legiſlature to reſtrain. This was not the moment when this meaſure could be wiſely or diſcreetly paſſed; and above all others, it became their Lordſhips not to take vulgar prejudice as a ground for any legiſlative proceeding. The noble Earl, who began this debate, had ſaid that the profits of the millers were too large, and he had quoted the evidence of Mr. Pratt. He begged pardon of the noble Earl, if he thought that he had not had his uſual accuracy in this reference. Mr. Pratt had ſaid that he was content with a profit of 2s. upon a ſack of flour value 3l.—And it appeared that the millers turned

ed over their capital three or four times a year, which in all was under 15 per cent. per annum. Ought tradesman in a narrow and contracted line of business, which a miller necessarily must be in proportion to the power of his mill, to have less than 15 per cent? What is 15 per cent. on a small capital to a man giving all his time and industry to his trade? Will men embark in business, and devote their lives to acquire skill and experience, if they are not to be secured in a living profit? Why, what is 15 per cent. to a poor man, with toil, and risk, and taxes to pay, and a family to maintain, in comparison with this band of patriots, who are to have ten per cent. and do nothing? Who have already made their fortunes; some of them, like the noble Peers of that House, who had their fortunes by descent. Others, who had honourably acquired fortunes by their enterprize and industry; and who, thank God, had been supported by the laws in their enterprize and industry. They were independent men, and yet they were to have ten per cent. although agents were to transact the business, and they were to be protected by a statute from all responsibility for the errors, and waste, and imprudence of such agents. Why, my Lords, there is no equality in this proceeding. We must protect the small man, we must recollect that the miller who has invested the greatest part of his property in building his mill must live; and if you do not give him a profit that shall enable him to thrive, nay, that shall enable him to get forward in life, you extinguish that active spirit which is the spring of British opulence. My Lords, I wish to see the man who began by carrying his sack of corn on his shoulder, conclude by being master of his mill. Such has been the progress of British industry, and I hope that no new-fangled projects will prevent it. These very patriots ought to be the first to recognize this sentiment, and to act upon it. I never felt more pride as an Englishman, nor more pleasure as a man, than at the table of one of the most opulent merchants, and a most respectable magistrate of the city of London; the noble Earl who began the debate would also recollect the anecdote, (for he was also a guest at the same hospitable board) when the Gentleman in the midst of his luxury, honestly told us that he had risen from nothing, by unceasing industry, to what he possessed. That he had worn his apron, and had swept his door. My Lords, such is England. And do not believe that you can have such men, if you do not protect the means by which they rise: and who will say that this country would have been able to stand the shock

of this diſaſtrous winter, if it had not been for the ſmall millers whom you are now about to deſtroy! The great miller, like this giant you are about to erect, might have withheld his ſtores; but the neceſſities of the ſmall miller compelled him to give us a weekly ſupply. That is the check which an open trade produces. The great miller, like the great farmer, is checked by the little; and in this trade of flour in particular. The noble Earl forgets that the law has given a wiſe option to the magiſtrates, which protects the public from all poſſible extortion. The noble Earl quotes from a paper which is not upon your table, nor given in proof, that ſix buſhels of wheat will make what is equal in value to a ſack of flour. Equal in value to a ſack of flour is not an accurate phraſe. What does the law ſay? Has not flour been rendered to the public greatly under the proportion which the law requires? This is the enquiry for the Legiſlature to make before they diſpoſſeſs unoffending individuals of their property. My Lords, I take upon me to ſay, that nothing can be ſo difficult as to aſcertain a criterion for the produce of a certain quantity of flour from a given quantity of wheat. My own obſervation confirms the evidence on your table. Nothing can be more various than the qualities of wheat. I have been in the fields with the noble Earl, and hope I ſhall be again; and ſurely, the noble Earl muſt acknowledge that, when in the ſame field of only 16 acres, there will be ſamples of wheat diſſimilar in weight and in goodneſs, prodigious diſproportions muſt exiſt between wheat of different ſeaſons and of different countries. And yet, my Lords, to beat out an eſtimate which was evidently drawn up only to deceive, and which was not offered at your bar, becauſe the authors know it would have been confuted, we muſt ſuppoſe that all the wheat of the laſt twenty-ſeven years was of the ſame goodneſs. I fairly put it to your Lordſhips, are any ſet of men to be cut up and annihilated upon ſuch a fallacy? Look on the other ſide at the liberality of the exiſting laws. All your ſtatutes on the ſubject grant a quarter of wheat, taking the bad years with the good, to produce a ſack of flour; but requiring the ſack of flour to be at a certain relative price under the quarter of wheat. Am I correct, my Lords? Look at the table in the 37th of the preſent King. If the allowance be too great, abridge it; if there be abuſe, correct it. But do not by a ſide-wind—do not at the very cloſe of a ſeſſion, and under the title of a bill which would promiſe no ſuch thing, do away in one breath all your eſtabliſhed laws of aſſize;

aſſize, which have been the work of centuries, and under which the people of this country have enjoyed, even in periods of ſcarcity, a regular and ſufficient ſupply. My Lords, I agree with my noble friend, who ſpoke laſt, that nothing can be more unwiſe than to throw forth unqualified imputations on all the men engaged in the corn and flour trade. I could quote to you, if I were not afraid to detain your Lordſhips, a paſſage from the celebrated Dr. Smith, a paſſage which I think has been verified by the preſent ſeaſon. I do not know that we have not been indebted to the corn-merchants, and to their avidity of gain, ſince but for that, inſtead of a ſcarcity, we might have had a famine. At one time the ſtouteſt of us had our apprehenſions. Thank God it is now over, and by the bleſſing of Providence, we have a brighter proſpect. But is it after we have weathered the ſtorm, that we are for deſtroying the veſſel that has brought us ſafely through? We know the ſyſtem that we have, all that is propoſed to you in its ſtead is theory and conjecture.

After having taken up ſo much of your Lordſhips' time, I will only detain you by the examination of two or three clauſes of the bill. And firſt, the clauſe by which this band of patriots are to have 10 per cent. for their beneficent labours, and to be at the ſame time protected from all their riſk. My Lords, I cannot help thinking that if you are to allow them 10 per cent. together with an indemnity, and recogniſe this ſort of per centage, you cannot in common juſtice accuſe the induſtrious miller, who has to live by his labour, of getting too much if he has 15; but has it with a reſponſibility to the laſt ſhilling he may be worth. But if you grant this principle, that men embarking money in joint-ſtock companies to carry on trade, may have ten per cent. and indemnity, farewel to open trade. The example once ſet, you will have it in every line and article of manufacture. You will have a joint-ſtock brewery, a joint-ſtock diſtillery; you will have the principle ſpread over the kingdom; you will extinguiſh open trade, and with it an induſtrious people; you will ſubſtitute monopoly, and bring with it idleneſs. It is in vain to ſay, that the whole ſcheme does not tend to monopoly; for, look to the next clauſe, which I think moſt important. This immenſe body is to be allowed to manufacture 12,000 ſacks of flour within the year; allowed, but not compelled; ſo that they may buy up 120,000 quarters of wheat, granting, as I conceive we ought to grant,

grant, that, one year with another, and manufacturing all the varieties of flour, that is of firſts, ſeconds, and thirds, and ſo forth, 120,000 ſacks of fine flour would require 120,000 quarters of wheat. Then what do you do? You are about to erect one monſtrous Company, that will require above 2300 quarters of wheat weekly; by looking at the returns of Engliſh wheat brought to the London market for the laſt nineteen years, as laid upon your table, I find this monſter would nearly require one half of the whole. My Lords, I call that a monopoly. No common miller could ſtand againſt it; eſpecially as this Company is not compelled to manufacture, but may keep it up until it is dear, and ſell it again. My Lords, I have no conception of a monopoly, if this is not one; and I will content myſelf to give you another ſtriking obſervation from Lord Bacon, in his Letter to Villiers, afterwards Duke of Buckingham: "Guard againſt monopolies; they are the canker of the State; it ſhould be the care of the Legiſlature to root them out." No argument of mine can make that recommendation more emphatic. My Lords, I will refer you but to one clauſe more; it is that wherein they are to make 200 ſacks of ſtandard wheaten flour into bread. It is very looſely drawn; but I object to it, becauſe it goes upon the error that this cannot be obtained from the common baker: the contrary is proved by the evidence upon your table. There is a prejudice againſt it; but give to the baker a fair profit, and you may have it to-morrow.

His Royal Highneſs apologized for having occupied ſo much of their time, but he really thought it a ſubject of ſuch ſerious importance, that he truſted their Lordſhips would think it wiſe not to proceed in it further at ſo late a period of the ſeſſion.

Earl *Stanhope*, in a very animated ſpeech, alſo ſpoke againſt the bill. He thanked the noble Earl, who began the debate, for the honeſt and candid confeſſion he had made, that this country was obliged to ſend away above five millions of money to import wheat to maintain the people, and that this was a growing evil. It certainly was true; and it was a moſt lamentable fact. He had obſerved it with ſorrow; he ſaw, from the petition of Mr. Chalmer on the table, that the average import, for the laſt nineteen years, had been above 280,000 quarters a year; and, for the laſt five years, it had been above 400,000 quarters. I thank the noble Lord, ſaid Earl Stanhope, for this candid confeſſion, as I thought

thought that at length our eyes were opened to an enormous calamity, and that ſome meaſure, adequate to the evil, was to be recommended; but what was my ſurpriſe when I found that after ſtating that we had not corn enough for our uſe; that we had imported 700,000 quarters this year, he concluded by ſaying, therefore let us regulate the grinding! In the ſame manner if he had told us that there was a great want of timber in our foreſts, and that he would ſuggeſt a remedy; inſtead of ſuggeſting means of keeping up the growth, or of ſupplying the deficiency, would not the Houſe think it an act of imbecility if he ſhould content himſelf with ſaying, Let us regulate the carpenters and joiners!—My Lords, this is of the ſame ſtupid and unavailing character of remedy. You muſt go to the root of the evil. This is only an attempt to conceal and diſguiſe it. This new-fangled attack upon property means more than meets the eye. There is a maſk upon this meaſure which conceals its horrid deformity—I will tear it off, and expoſe to you its deteſtable viſage. My Lords, the plain truth is, that it is the war, the ſyſtem, the taxes, the burthens of the country which have made the evil of ſcarcity, and it is the wants of the Government which have given riſe to this ſtratagem of ſeizing upon the corn trade into their own hands. My Lords, the taxes, and the advance in every article of life, which is the fruit of taxes, make it impoſſible for the people to grow wheat ſo cheaply as it can be imported. Here is the evil; the firſt natural conſequence of our overburthened country. The Government ſees it; the noble Earl avows it; and the Miniſters, having exhauſted all the other ſources of taxation, are determined to ſeize upon trade itſelf. Five millions of money to be paid to foreign nations for corn in one year is too tempting and convenient a thing to be ſuffered to eſcape them. They will ſeize upon the whole ſupply under the inſtrumentality of this new corporation; and having once eſtabliſhed the principle, every article of the firſt neceſſity will follow the chief article, which is bread. My Lords, this is my belief, and I feel it to be my duty to tell you what I think. I have the utmoſt reſpect for many of the characters whom I ſee in the liſt on your table; but no reſpect ſhall prevent me from diſcloſing my apprehenſions as an Engliſhman. Many of theſe perſons have no doubt ſuffered themſelves to be ſurpriſed. They could not have otherways given their ſupport to a meaſure ſo tremendous in all its parts. It was this view of it that brought me

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to London. I know nothing of the millers; I have no connection with any of them. But it is not the millers, nor the bakers, nor any particular trade, that is aimed at. They are ſingled out indeed firſt, becauſe the cry is againſt them, and I have heard the Noble Earl with aſtoniſhment join in the popular cry: but let the example once be ſet, and thoſe who now blindly give their ſanction to the injuſtice, will be its next victims. My Lords, I heard the noble Earl with aſtoniſhment join in the cry againſt the millers, becauſe I thought, that let vulgar clamour find reception where it might, it would be excluded from theſe walls. To ſay no more, the language of the noble Earl was moſt raſh and imprudent. My Lords, with a groſs miſconception of the evidence on your table, the noble Earl ſtated that Mr. Charles Pratt had ſaid he expected from 15 to 18 per cent. ſix times over in the year. My Lord, he ſaid no ſuch thing. He ſaid, that 2s. upon 3l. would content him. This is only 3 and a fraction per cent., which, taken 6 times over, would be 20 per cent. per annum in all; but it ſo happens, that every miller has a conſiderable part of his capital locked up in his mill, machinery, barges, and other dead ſtock, which, ſo far from producing 20 per cent. perhaps, do not pay him legal intereſt; and let me remind your Lordſhips, that every miller has not the conſiderable trade and the capital of Mr. Pratt. What profit will you allow to a miller who has 1000l. employed in the mealing trade? Do you think from 150 to 200l. a year an exceſſive profit for a man who has a family, and all the burthens of the times to maintain? This was not the only miſconception of the noble Lord, by which his ſpeech certainly may go forth, and enflame the public mind againſt the millers. He takes a calculation which is erroneous, and gives to it the credit of his opinion. My Lord, that paper is directly contradicted by the evidence on your table. The moſt reſpectable men tell you that eight buſhels of the foreign wheat of this year will not produce ſo much flour as ſeven buſhels of fine Engliſh wheat, and yet he argues from a paper drawn up in the cloſet, that ſix buſhels will, in all caſes, give a ſack of flour. Arguing on this eſtimate he ſays, that the millers have made the enormous profit of 13 ſhillings this year on a ſack of flour; now what ſays the evidence? The law allows that there ſhall be no more than 6s. of difference between the ſack of flour and the quarter of wheat, whereas the difference has been through the whole year 14s. And by the way in which the average price

price of wheat is now taken, all the wheats of an inferior quality ſold on the corn market, to make biſcuits and to go into the country, are taken into the account againſt the miller, whereas he only uſes the higher priced wheats. Excluding the lower ſorts, as they ought to be, the difference in favour of the public through the whole of this year would have been 20s, being 14s. more than the law required. So much for the conduct of theſe ill-treated men. But even this is not all. The noble Earl ſays, that Mr. Claude Scott was able to buy 40,000 ſacks of flour from the millers at once, and this he ſtated as a proof that the millers *hoarded* up flour. I turn to the evidence, and I find Mr. Claude Scott ſay, that he ſtipulated for the flour to be delivered at the rate of 5000 ſacks per week, requiring eight weeks to complete the order! My Lords, I complain of this want of candour in the noble Earl. Men are not to be expoſed to public clamour in this way. They have no exorbitant profits according to the evidence. And you ought to ſupport the poor man and the riſing man in his fair profits. There never was any ſentiment more true, nor more perfectly Britiſh, than that of his Royal Highneſs—that you muſt protect the young and thriving plant. If you do not fence round the feeble ſhrub, and protect it from annoyance in its early ſhooting, you can never hope to ſee the full grown oak of England riſe to the ſky, and protect you with its ſpreading head. My Lords, theſe millers do not appear to have any exceſſive profit. I ſee by the evidence that they are ready to give up their mills. They have offered mills at ſeven per cent. upon the ſums they have ſunk to this very band of patriots, who are to have ten per cent. for driving them from the market! Your Lordſhips cannot give your countenance to ſuch a ſcheme. It is without principle, and will be found to be pregnant only with miſchief.

The bill is incompatible with the genius of the common law of England, which made every man reſponſible for his dealings. This is a bill to protect men in iniquity—to allow them to job and to ſpeculate, nay, to ſwindle in corn; for men who were to be indemnified from the payment of their juſt debts, were to be permitted to ſwindle by law.

The Lord *Chancellor* left the Woolſack to expreſs his ſurpaize at the manner in which the bill had been debated, very little having been ſaid to the queſtion for the ſecond reading of it, in which ſtage all arguments addreſſed to its particular

provisions were ill timed and out of place. The bill was undoubtedly a bill of great and serious importance, both for and against which, he admitted, that many strong reasons might fairly be urged; but as it was a bill of great and serious importance, he had expected a cool, candid, and temperate discussion; at least he had not conceived that the unfortunate turn of any man's imagination would have suggested so wild, extravagant, and frantic an idea, as that which their Lordships had just heard from the noble Earl, that under a bill, avowedly offered to Parliament for its consent to a project to incorporate certain respectable persons into a company of millers and bakers, was conceived a wicked design to overturn the whole system of the trade and commerce of the country, and seize upon it by Government's wresting it from the hands of the variety of merchants and manufacturers who were engaged in the conduct of its separate branches. The whole of the opposition to the bill had been founded on the assumed ground, that it proceeded on an admitted charge of very improper practices in the corn-dealers and millers, and a received opinion that the great scarcity of wheat, and the dearness of bread, which the country had felt during the last winter, was imputable to their misconduct. This assumed ground of the bill, however, had not the smallest foundation in fact, nor was any such charge or imputation either expressed or hinted at in the bill, but originated solely in a part of the argument of the counsel employed by the millers who had petitioned against the bill, and which part of his speech the learned gentleman seemed rather to intend for the gratification of those below the bar than their Lordships. A more erroneous opinion of the ground and object of the bill could not have been entertained, nor could he believe that those who pretended to entertain it, really did so. No blame had been cast upon the millers by those who introduced the bill, nor did any part of the bill warrant such an intention on their part; but, on the contrary, the holding forth an idea to that effect, made a part of the clamour, artfully raised to create prejudices against the measure, not the popular clamour that a royal Duke had complained of as the origin of the bill. It had been said by that illustrious personage, that he should have been pleased if the bill, like the Globe Insurance Company, had been for a royal charter, instead of an act of Parliament to incorporate; but a royal charter could not have given the powers that the company were to have under the present

preſent bill, if it paſſed; that of being a joint-ſtock company, and eſpecially that of not being liable to pay beyond their capital. That power he was ready to admit to the noble Earl (Lord Stanhope) was incompatible with the genius of the common law of England, which was, in that reſpect, peculiar to Great Britain, and diſtinct from the law of other countries, and thoſe eminently commercial, and he hoped it would continue ſo to remain. In Holland, for inſtance, by taking out a particular inſtrument, and regiſtering their capital, any number of perſons might engage in a given ſpeculation of manufacture or trade, and not be liable beyond their capital ſo regiſtered. In the preſent caſe, a number of moſt reſpectable individuals, acting from the pureſt motives, and unqueſtionably with the beſt intentions, came forward with a view to endeavour, at ſome riſk, but not a great one, individually to be incorporated as a joint-ſtock company, and not to be liable beyond their capital. In return for this, they voluntarily offered to limit their profits to 10 per cent., and to ſubmit their accounts annually to the inſpection of both Houſes of Parliament. This was more than any joint-ſtock company had ever attempted to offer, and was, in his judgment, a very ſufficient guard againſt all the evils which had been ſo extravagantly conjectured as the probable conſequences of the bill's paſſing into a law. But there was another reſtriction, which he would ſtate by and by, and which he thought it might not be improper to inſert in the bill, when it ſhould be in a committee. Upon ſo limited a capital as each ſubſcriber to the project was to be allowed to adventure, and with a limited profit of ten per cent. only, what danger was to be apprehended from the carrying ſuch a project into execution for a ſhort period, by way of experiment? What inducement could there be to incline the ſubſcribers to abuſe their powers; let them acquire as much as the wildeſt imagination could ſuppoſe, they could neither increaſe their dividend, nor their capital—both were limited. In putting this queſtion he was detracting from the characters of the eminent perſons, whoſe names were in the bill, and putting, for a moment, the ſecurity of great character againſt abuſe, wholly out of the queſtion. A noble Friend of his (Earl of Weſtmoreland) had acknowledged that the avowed patriots, as they had been called, who came forward with this bill, were entitled to full credit for their high reſpectability and diſintereſted public ſpirit; but he had expreſſed a wiſh to ſee the *inviſible* patriots, who were

to be concerned. To gratify himself in this point, the noble Earl muſt, he believed, either travel northward to his country, or a little more to the weſt, for in the northern part of Europe alone had he ever heard it ſaid that *inviſible* perſons were to be ſeen. Among other arguments that had been urged againſt the bill, it had been contended, that this would ruin the millers, and leſſen the competition in the corn market, by inſtituting a monopoly. On which latter idea a royal Duke had laid great ſtreſs, but in both reſpects the opponents of the bill proceed on a palpable miſtake. The project had not a feature in it like that of monopoly, nor would it deſtroy or diminiſh the competition ſo neceſſary in all trades, and ultimately ſo beneficial to the public. It would rather increaſe the competition, by ſending a new buyer into the market; and it by no means effected a monopoly, as it excluded no perſon whatever from engaging in a ſimilar project on the ſame terms, which, excluſive ſolely of not being liable beyond their capital, they might do without any charter at all. For the benefits of their being a joint-ſtock company, and not liable beyond their capital, he had already ſtated, that the gentlemen whoſe names were in the bill, had offered the public inſpection of their books, which was, he thought, a fair balance. With regard to the profits made by millers and corn-dealers, he did not blame them from making as much as they could of their capital and their induſtry. Every trader and manufacturer had a right to trade to the beſt advantage, provided he did not violate the laws of his country; and though in all trades there would occaſionally be bad practices diſcovered, that was no ground for a general ſtigma upon any given deſcription of traders or manufacturers. That there had been foreſtalling and regrating practiſed among corn-dealers was evident, ſince it had lately been proved, and a conviction had taken place in the Court of King's Bench, before the Lord Chief Juſtice of England; and a prior conviction had alſo been obtained for a ſimilar offence, ſome time preceding, in the ſame Court. Nay, they had heard of whole fields of corn and wheat having been purchaſed while growing, which was certainly a very miſchievous ſpecies of foreſtalling, and muſt raiſe the price of the market. But it was in this caſe that the ſubſcribers, limiting their profit to ten per cent. would ruin the millers, as they could not live upon ſo ſlender a profit. Mr. Pratt, in his evidence, ſtates, "that he ſhould expect to have a clear profit of from fifteen to eighteen per cent." His Lordſhip ſaid, he did not

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ſee why it was neceſſary that a miller ſhould have a profit of that extent. A great variety of buſineſſes were carried on, and carried on ſucceſsfully, at a ſmaller profit. In the courſe of the ſeſſion their Lordſhips had heard a cauſe at their bar, which went upon theſe data: a wholeſale grocery buſineſs had been entered into by three perſons, one of whom choſe at length to become indolent, and to retire into the country, and when ſome years afterwards they came to ſettle their partnerſhip accounts, he thought himſelf ill-uſed by having only an intereſt of eight per cent. allowed him as the intereſt earned on his ſhare of the capital. He inſtituted a ſuit in Chancery, and it came at length, by writ of error, to their Lordſhips' bar, where it appeared that, upon the reaſonable profit of eight per cent. one of the partners had acquired a plentiful fortune, and riſen to the rank of an alderman of London (Sir John Eamer). It was evident, therefore, that at that profit fortunes might be acquired in trades dealing in innumerable ſmall articles, as well as others of a greater bulk and value, for the ſhop in queſtion ſupplied many of the retail grocers in town and country. Indeed eight per cent. was, he believed, above the common average profit on which ſeveral extenſive trades were carried on. Eighteen was an enormous profit, enough to cover a foreign trade and a credit of a year and a half, one, he underſtood, of the longeſt known. His Lordſhip ſaid that, upon full conſideration, it appeared to him that the gentlemen concerned in the propoſed project acted with a very laudable degree of public ſpirit, that much good conſequence might ariſe to the metropolis and its neighbourhood from carrying it into execution, and that, at any rate, it would be worth while to try the experiment. He truſted, therefore, that it would be allowed to go to a committee, in which, if any of the proviſions or reſtrictions ſhould require amendment and alteration, it could be ſuggeſted, and if it ſhould appear to be a wiſe and uſeful amendment that might be propoſed, it might be adopted. For his own part, he ſhould in the committee propoſe, in addition to the preſent reſtrictions contained in the bill, a clauſe to render the company liable to be proceeded againſt by a writ *ſcire facias*, and diſſolved upon a conviction of any improper practices, or abuſe of their powers to the prejudice of the public. With that additional guard and ſecurity, it appeared to him that the experiment might be ſafely tried, and therefore, for the reaſons he had ſtated, he ſhould vote for the bill's being read a ſecond time.

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The Earl of *Liverpool* roſe, merely to explain, not to ſpeak a ſecond time upon the bill; he knew the order of the Houſe too well to do ſo. The noble Earl near him, Lord Stanhope, had been pleaſed to compliment him for the candour of his argument; but he had, at the ſame time, blamed him for his want of prudence, and his raſhneſs. He would venture to ſay, that his candour and his raſhneſs muſt ſtand or fall by one and the ſame criterion; he could not merit the compliment if he deſerved the cenſure. He had before ſtated, and he repeated it, that he thought from fifteen to eighteen per cent. was a larger profit than the millers ought to have.

Lord *Hobart* ſaid, that whatever was the opinion that he had formed before he entered the Houſe; if after the able ſpeech of the noble and learned Lord he ſtill found himſelf obliged to oppoſe the bill, he did ſo with great deference. The noble Earl who opened the debate had ſaid that he knew nothing of the bill till it was brought forward in the Houſe of Commons—that being taken to be the fact, it was no ſmall argument in his mind againſt the bill. The gentlemen whoſe names were in the bill were men of great reſpectability undoubtedly, and he gave them full credit for the purity of their intentions in coming forward on the preſent occaſion, but if it had received the ſanction of the noble Earl in the firſt inſtance, the great confidence he placed in his abilities, his judgment, and his experience, he ſhould have been much more ready to rely on the expediency of the meaſure. If the noble Earl had ſaid, that from his knowledge of the ſtate of the flour manufacture in the country, he had thought it his duty to ſubmit the project to the judgment of the reſt of his Majeſty's miniſters, and had, in conjunction with them, brought it forward in Parliament, the noble Earl would have made himſelf reſponſible, and the bill would have ſtood upon a much leſs objectionable footing than it did at preſent. The noble and learned Lord on the Woolſack had told them that ſome foreſtallers and regraters had been convicted in the Court of King's Bench recently. If they had been convicted, that was an indubitable proof that the laws in being were ſufficient for the conviction of ſuch crimes, and that no new law for that purpoſe was at all neceſſary. The noble and learned Lord had alſo told them, that any number of perſons might now, without any charter, form ſuch a company as the bill was intended to incorporate; the fact being ſo, why, if the gentlemen, whoſe names were in the bill acted upon the patriotic principles that had been imputed to them (and he did

did not mean to deny that they were not juſtly imputed to them; why did not they enter into the ſame engagement and the ſame ſubſcription, without coming to Parliament and deſiring to be inveſted with extraordinary powers, hereſofore unprecedented, and to prove the neceſſity for which no one fact had been given in evidence at the bar of the Houſe? Two examples had been inſtanced of inſtitutions ſimilar to that projected in the bill; the one, the inſtitution of the Union Mills, at Birmingham; the other, the Albion Mills. With regard to the Birmingham Mills, he had been informed from good authority that they had introduced a ſpecies of bread, that would not have been eaten in London, even by the poorer ranks of people. If, however, the Birmingham Mills and the Albion Mills had been found to be attended with beneficial effects to the perſons engaged in them, as they were not incorporated, why could not other gentlemen follow their example and inſtitute ſimilar manufactories? It was ſaid, that the propoſed project would operate in favour of the public by grinding the wheat at a lower price, and thus lowering the price of bread. He had very great doubt of the advantage of ſuch an effect; it was admitted on all hands that the dearneſs of proviſions, and eſpecially of bread, was aſcribable, not to any combinations among the millers and bakers, but to an actual ſcarcity, and a deficiency of harveſt for the two laſt ſeaſons; and he verily believed that under ſuch circumſtances the high price of bread had operated eſſentially for the ſervice of the community, and that if bread had not been at ſuch a high price, the poor would have had no bread to eat. His Lordſhip ſaid that it was impoſſible to deny the fact, that a corporate company trading on a capital of 150,000l. would not have a very ſenſible impreſſion on the market at all times, and prejudice the individual miller, dealing upon an infinitely ſmaller capital, to the hazard of his ruin. A profit upon a capital of 150,000l. would not be ſo ſmall a profit as it might at firſt be thought to be; but on a profit of 10 per cent. only, the little miller could not go on. In the difference of ſize of capital lay all the argument, and on that account, as well as on the other reaſons he had ſtated, begging the Houſe to excuſe him for having gone ſo much at length into the ſubject after it had been fully debated, he ſhould conclude with declaring that he ſhould give the queſtion his decided negative.

The queſtion was then called for; it was put, and the Houſe

House divided. On the first division it appeared that the numbers were even.

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Which, by the rule of the House, would have been fatal to the bill; but it was thought they had been inaccurately counted, and they divided again. The numbers then were, Contents 11—Not Contents 10—Majority 1. Proxies were then called for, when 14 were given for the bill, and only 4 against it.

The numbers then stood thus:

Not Contents,	10	Contents	11
Proxies, -	4	Proxies	14
	14		25

On the question, That this bill be committed on Wednesday next, the Duke of Clarence moved, as an amendment, to insert the words, "That day three months:" but as several of the Lords for the bill had left the House, not expecting a division, his Royal Highness in candour withdrew his amendment. The bill therefore stands committed for Wednesday, when counsel are to be heard in support of the petitions of the bakers, and various others, against particular clauses therein. Adjourned at nine o'clock.

HOUSE OF COMMONS.

MONDAY, JULY 21.

Mr. *Secretary Dundas* presented a copy of the proclamation of the Governor of Surinam, permitting the importation of goods in foreign bottoms.—Referred to the Committee on the Indemnity Bill.

A new writ was ordered for the election of a Knight to serve in Parliament, instead of Lord Levison Gower, who has been appointed one of the Lords of the Treasury. And another for the election of a Burgess for the town of Buckingham, instead of Thomas Grenville, Esq. who has been appointed Chief Justice in Eyre.

In a Committee of Supply, after his Majesty's message had been read, a vote of credit for 1,400,000l. was moved by the Chancellor of the Exchquer.

The resolution was agreed to, and ordered to be reported the next day.

Mr.

Mr. *Long* brought in three bills:—the first for raising 3,000,000l. by Exchequer Bills to be charged on the first aids granted next session of Parliament;—the second for raising 3,000,000l.;—and the third for raising 3,500,000l. by the same means. They were respectively read a first time, and ordered to be read a second time the next day.

Mr. *Abbott* gave notice, that on the first session of the United Parliament he would move for leave to bring in a bill for registering all instruments with regard to landed property in England, where registers are not already kept.

On the motion of Mr. Secretary Dundas, the Committee upon the accounts presented by the East India Company was deferred till Wednesday.

The bill for disposing of the overplus of the Consolidated Fund, was committed for the next day.

The Clerk of the Peace for the county of Middlesex presented an account of the number of persons confined in Cold Bath Fields Prison, and a list of necessaries wanted in the prison. Ordered to lie on the table.

The bill for including in one general act the clauses usually inserted in inclosure bills went through a Committee of the whole House, and was ordered to be reported the next day.

Mr. *Jones* said, it certainly was his intention to have that day brought forward a motion with regard to the infraction of the treaty for the evacuation of Egypt, but being informed that by so doing he would accommodate gentlemen on the other side of the House, he should defer it till Wednesday next. On that day nothing should prevent him from proceeding with it.

The Rice Exportation Bill was reported, and ordered to be read a third time the next day.

On the motion of Col. Gascoyne the third reading of the Journeymen Workmen's Combination Bill, was deferred till the next day.

The Committee on the Governor of Surinam's Indemnity Bill was likewise put off till the next day.

The Pawnbrokers' Regulation Bill was reported, and ordered to be read a third time the next day.

Mr. *Tierney* presented a petition from the Journeymen Workmen of Newcastle-upon-Tyne, against the bill for preventing unlawful combinations, passed last sessions of Parliament. Ordered to lie on the table.

Mr. *Tierney* then rose, in pursuance of notice, to move several

veral reſolutions with regard to finance. He had not the leaſt inclination, he ſaid, then to enter into their merits; and thought it would, perhaps, be better that they ſhould be barely laid upon the table, and diſcuſſed on ſome future day. He ſhould be glad to learn the ſentiments of the right hon. Gentleman oppoſite, as he ſhould entirely be guided by his wiſhes.

The *Chancellor of the Exchequer* approved of the propoſals of the hon. Gentleman, and ſaid that if he ſhould find any thing ſtanding in need of correction in the reſolutions, he ſhould move amendments upon them on Thurſday next.

The debate was accordingly, upon the motion of Mr. Tierney, adjourned to Thurſday.

COLD BATH FIELDS.

Sir *F. Burdett* ſaid, he ſhould defer making the motion he had given notice of with regard to Cold Bath Fields Priſon till Wedneſday next.

Mr. *W. Dundas* requeſted the hon. Baronet to ſtate his reaſons for this further procraſtination. The motion had been already twice deferred, and the ſeſſion was drawing rapidly to a cloſe.

Sir *F. Burdett* replied, that he again put it off at the requeſt of ſome friends, and that he might hear the reſult of the enquiries of the ſecond coroner's inqueſt upon Johnſton, the mutineer.

The *Chancellor of the Exchequer* ſaid, the hon. Baronet would not ſurely interpoſe this delay, if he meant to make his motion with a view to eſſential enquiry. The Houſe would not probably ſit above forty-eight hours beyond the time propoſed by the hon. Baronet. He hoped, however, that the hon. Baronet would be ſatisfied with the general argument which had taken place, and truſt to any abuſes, if any actually exiſted, being ſpeedily corrected. There could be no doubt that the Executive Government would willingly do every thing in its power, and liſten with attention to every repreſentation that was made to it. All negligence on the part of the magiſtrates was reprehenſible; but an attempt to remedy the evils which may ſpring from that negligence by inflammatory means could not be juſtified. It would be much better to apply to the courts below, and not to propoſe, before they have ſhewn any backwardneſs to do their duty, to erect the Houſe of Commons into a board of police. If they were to examine that priſon in the firſt inſtance, why ought they not every other in the kingdom?

Sir

Sir *F. Burdett* ſaid the grievance he complained of was of ſuch a nature as could not be remedied without the interference of Parliament. He could not, conſiſtently with his duty, withdraw his motion, as if what had been ſtated were true, it was demonſtrated that the magiſtrates had neglected their duty, and every word which had been ſtated he could verify by evidence at the bar.

Mr. *W. Dundas* ſpoke a few words.

Mr. *Tierney* thought his hon. Friend was quite right to perſiſt in his motion, but adviſed him that it might be effectual, to bring it forward at an earlier day.

The *Speaker* ſaid, that ſeveral orders already ſtood for Wedneſday, and that inconveniences would be occaſioned if their number were increaſed.

Sir *F. Burdett* then ſaid he ſhould bring forward his motion the next day, and the Houſe adjourned.

HOUSE OF LORDS.

TUESDAY, JULY, 22.

A bill, intituled an act for the better protection of his Majeſty's perſon, was, according to the order of the day, ſubmitted to a Committee of the whole Houſe, when,

The *Lord Chancellor* obſerved, that as the law now ſtood, when a repreſentation was made, that an inſane perſon had an intention of committing any particular offence, or that it was dangerous to the community that he ſhould remain at large, it was competent to a magiſtrate to order him into cuſtody. But it ſometimes happened that theſe perſons were without ſufficient caution bailed out of cuſtody. In order, therefore, to prevent the miſchiefs that might ariſe from injudiciouſly letting looſe on the public a man in a ſtate of inſanity, he would propoſe a clauſe, that no ſuch perſon ſhould be admitted to bail but with the conſent of two magiſtrates, one of whom ſhould be the juſtice who committed him, or with that of the quarter ſeſſions, or the chief juſtice of the King's Bench.

Earl *Stanhope* objected to this clauſe as an attack on the liberty of the ſubject, neither conſonant to the principles of the conſtitution, nor called for by any neceſſity ſtrong enough to warrant ſuch an innovation. If he underſtood the clauſe correctly, it went the full extent of authoriſing a ſingle magiſtrate to commit on mere ſuſpicion of inſanity, and obliged

the perſon ſo committed to remain in confinement till the next quarter ſeſſions, before he could be relieved.

The *Lord Chancellor* ſaid that was preciſely the object of the clauſe.

The Duke of *Clarence* roſe to declare that he concurred entirely with the noble and learned Lord, in his opinion of the neceſſity of introducing ſuch a clauſe. He did not mean to enter into a diſcuſſion of the clauſe, becauſe being a matter of law, the noble and learned Lord certainly underſtood it better than any of their Lordſhips could pretend to do.

The *Lord Chancellor* then propoſed the inſertion of another clauſe, the object of which was to authoriſe any of his Majeſty's houſehold ſervants to take into cuſtody any perſon who ſhould obtrude himſelf into the palaces or houſes of his Majeſty's reſidence, and carry them before a Committee to be appointed for the examination of ſuch perſon, and who, if the perſon ſo examined were found to be apparently inſane, were empowered to keep him in cuſtody, and refer him to perſons authoriſed to order him to be taken proper care of. The Lord Chancellor ſaid he founded this clauſe on the indiſputable fact, that it was the prevalent propenſity of ſuch unfortunate perſons as were deranged, to haunt the royal palaces, and the places of his Majeſty's reſidence, which was evinced in a recent inſtance, ſince Hadfield's trial, of a man having entered the palace of St. James's, and forced his way into moſt of the apartments, who upon being repulſed, and the reaſons of his conduct enquired into, was found to be extremely inſane. The illuſtrious perſonage oppoſite him could authenticate this fact, and alſo a preceding inſtance of a ſimilar nature.

The clauſe was agreed to and inſerted.

The bill having paſſed the Committee, other bills were committed, and paſſed that ſtage alſo.

TESTAMENTARY DEVISE BILL.

The *Lord Chancellor* left the Woolſack, and having this bill in his hand, as it had been ſent up from the Commons with amendments, explained to the Houſe the hiſtory of the progreſs of the bill, and the nature of the amendments made to it in the Commons. His Lordſhip ſaid it was not a bill that had been precipitated through Parliament in any manner, ſince it had been introduced in that Houſe early in the ſeſſion, then printed for the inſpection of their Lordſhips,

the

the members of the other Houſe and the public, and no further ſtep taken reſpecting it for ſome months. That he had thought it neceſſary to conſult the judges, and defer the examination of the bill, and their opinion upon it. That he had received from ſome of them ſeveral ſuggeſtions fit to be attended to; that he had advantaged himſelf of theſe hints, and had amended the bill accordingly. That he had then ſent copies of the bill to each of the moſt eminent conveyancers, had requeſted them to look it over with attention, to conſider it with care, and to favour him with their general opinion of its proviſions. In conſequence of their advice, he had changed the language and expreſſion of it, and put it chiefly into conveyancing terms, in which form it was ſent down to the houſe of Commons. That in that Houſe a learned Friend of his, to whom the conduct of the bill had been entruſted, had thought it right to take out all the conveyancing terms, and put it into plain Engliſh and plain language, ſo as to render it perfectly clear, explicit, and intelligible, to every capacity. His Lordſhip explained that neceſſarily from the nature of the tenure of landed eſtates, ſo different from thoſe of landed eſtates in this country, it did not extend to real or freehold eſtates in Scotland, but only went to perſonal eſtates and perſonal property in that part of the kingdom. To his learned Friend, the Maſter of the Rolls, he had communicated all the ſuggeſtions of the judges, and the conveyancers, to whom he had ſubmitted the bill, and it had paſſed the Commons with ſome amendments, but, with a few exceptions, with general approbation. He therefore moved, That the bill, with its amendments, be agreed to. It paſſed *nemine diſſentiente*.

The Duke of *Clarence* moved, that the petition of ſeveral merchants of London, importers of wheat into the port of London, which he had preſented the preceding day, be heard by counſel againſt the bill in the Committee. Ordered.

The order of the day for going into a Committee on the New Foreſt Bill, and hearing counſel in ſupport of the petition againſt the ſame, be heard, having been moved and read, Mr. Warren was called to the bar and heard to the extent of his argument; after which the bill was read a third time and paſſed.

In the Committee on the London Flour Company Bill, Mr. Randle Jackſon was ordered to be heard the next day on the part of the bakers, and Mr. Adam in ſupport of the petition of the merchants, importers of wheat. Adjourned.

HOUSE

HOUSE OF COMMONS.

TUESDAY, JULY 22.

A perſon from the cuſtoms of Scotland, preſented an account of the number of ſinecure offices in that country, and of the number performed by deputy. Ordered to lie on the table.

Mr. *Bragge* brought up the report of the Committee of Supply, which being read and agreed to; a bill was ordered in purſuance of its reſolutions.

The bill for conſolidating in one act the clauſes generally introduced into bills of incloſure, was reported, and ordered to be read a third time the next day.

The *Chancellor of the Exchequer* brought up the report of the Committee appointed to conſider of the moſt expedient method of enlarging the Houſe of Commons. The report ſtated that the officers of the Houſe, and Mr. Wyatt, the ſurveyor, had attended the Committee, and that with their aſſiſtance a plan had been drawn, which it was begged might be tranſmitted to his Majeſty for his approbation. Ordered to lie on the table, and to be taken into farther conſideration on Thurſday.

The bill for diſpoſing of the overplus of the conſolidated fund went through a Committee of the whole Houſe, and was ordered to be reported the next day.

Mr. *Robſon* ſaid, it was a very improper thing that 500,000 guineas ſhould have been ſent out of the country without the conſent of Parliament.

The *Chancellor of the Exchequer* ſaid, the hon Gentleman had greatly overſtated the ſum ſent to the Emperor, as it did not exceed 150,000l. its object was to make up for the ſevere loſs ſuſtained by our ally, at Stockach, and the tranſaction was a proof of the generoſity of his Majeſty.

Mr. *Jones* ſaid, the only end the ſubſidy would ſerve, would be to enrich the French.

The Journeymen Workmen's Combination Bill was read a third time.

The *Attorney General*, after ſome obſervations, objected to the clauſe which empowers the journeyman to refer every diſpute ariſing between him and his maſter to two arbitrators, one to be appointed by each of them. The greateſt inconvenience and embarraſſment would be occaſioned by it, he ſaid,

ſaid, and it would ſerve no good end whatſoever. After ſeveral other obſervations, he moved that the clauſe be left out.

Colonel *Gaſcoyne* ſaid, it was very unfair in the right hon. Gentleman to come forward with ſuch an objection at that ſtage of the bill. Without that clauſe the relief afforded to this uſeful and oppreſſed ſet of men would not be worth accepting, and if it was loſt he did not care in the leaſt whether the bill paſſed or was thrown out.

Mr. *Dent* followed on the ſame ſide, and complained particularly of the Attorney General making ſuch a motion now, when, though preſent, he had allowed the clauſe to be introduced in the Committee without the leaſt oppoſition. Upon the faith that the bill would be allowed quietly to go through the Houſe, many of its advocates had left town, and would not think themſelves very handſomely treated if they found that it was ſo modified as to be completely done away.

The *Chancellor of the Exchequer* ſaid, as there was other buſineſs of importance coming on to day, it would be better that the debate ſhould be adjourned till the next day. By that time ſome means of accommodation would probably be deviſed. It was certainly deſirable that there ſhould be ſome ſummary method of ſettling diſputes; but this clauſe went much farther than was neceſſary, or than its friends probably intended. He concluded by moving, that this debate be adjourned till the next day.

Mr. *Sheridan* ſaid that this was the moſt extraordinary propoſal he had ever heard. In the laſt ſtage of a bill a right hon. Gentleman propoſes to take away a clauſe, in which the whole virtue of the bill conſiſts; and, after he has been completely refuted, his right hon. Friend, the Chancellor of the Exchequer, riſes to move that the debate be adjourned till he ſhall have time to deviſe new arguments. This clauſe, Mr. Sheridan ſaid, was copied almoſt verbatim from an act which had paſſed laſt Seſſion of Parliament, for the regulation of the cotton manufactories, and contained nothing but what was juſt, reaſonable, and politic. He muſt hear very different arguments before he would conſent to the debate being put off one ſingle hour.

The *Attorney* and *Solicitor General* argued againſt the clauſe, and in favour of adjourning the debate.

The

The Houſe then divided upon the Chancellor of the Exchequer's motion, when there appeared,

Ayes,	31
Noes,	14
Majority	17

The Rice Importation Bill was read a third time, and paſſed.

The Governor of Surinam's Indemnity Bill went through a Committee of the whole Houſe, and was ordered to be reported the next day.

A meſſage from the Lords informed the Houſe that the Lords had agreed to the Quarantine Bill without any amendment; and to the India Government Regulation Bill with ſome amendments, to which they begged the concurrence of that Houſe.

COLD BATH FIELDS.

Sir *Francis Burdett* ſaid, he thought it would not have been neceſſary for him to take up one minute of the time of the Houſe, as the papers which had been laid before the Houſe contained ſuch various, ſtrong, and incontrovertible proofs, that the groſſeſt abuſes had been committed, and as every one teſtified an eager deſire to have the affair ſifted to the bottom. From ſome converſations which he had lately had, he had become leſs confident. He was told, that unleſs a very ſtrong caſe of abuſe was made out, and unleſs it could be proved that the magiſtrates had ſhewn backwardneſs to redreſs the grievances which which were complained of to them; and that applications to the inferior courts would be ineffectual, it would be improper for the Houſe of Commons to interfere. Even theſe Gentlemen, however, he hoped to convince of the neceſſity of immediate interference. The exiſtence of numerous and flagrant abuſes was clearly demonſtrated by the papers lying on the table, as was likewiſe the negligence and miſconduct of the magiſtrates. The hon. Baronet here read over ſeveral of theſe papers, and commented upon their contents with great animation and ability. It was ſtated, he ſaid, in the report of the Grand Jury, that the priſoners had not enough bedding for the ſummer ſeaſon. What then muſt be the wretchedneſs of their ſituation in winter, ſhut up in a cold damp cell, without even a fire-place? To this abode of miſery many were ſent even before they were convicted, and even ſome not charged with a crime. The caſe of Mary

Rich was too ſhocking to be deſcribed. From the unparalleled barbarity of her keepers, ſhe had even become incapable of the purpoſe for which ſhe was confined, and was unable to give evidence againſt the man who had attempted to violate her. The manner in which theſe proceedings were juſtified added to their enormity. She lay naked, becauſe her blanket had been taken to cover a woman in labour. She was ſtated to be a worthleſs girl, and to have ſaid to a nurſe, that ſhe never would have complained if the gentleman had given her the money he had promiſed. But was this nurſe to be believed, who was one of the double-allowance priſoners whom the governor uſes well that he may mal-treat the reſt with impunity? And though the poor child was really unprincipled, was this any excuſe for the barbarities ſhe had experienced? She was poor, and her parents in extreme indigence. So poverty was a reaſon for inflicting cruelty upon the perſon it weighs down, and it was praiſe-worthy to add to its evils. The juſtices concluded their report by ſaying, that upon the whole Mary Rich appeared to them to have been properly treated during her confinement. This aſſertion was the completion of injuſtice. A ſcene of iniquity hardly to be paralleled was declared by twelve magiſtrates to be innocent, and not to attach the ſmalleſt blame to its author. They had examined Mr. Aris; but was he the proper perſon to examine concerning his own atrocities, or the felony committed by his ſon? Why did not they examine the perſon from whom the handkerchief was ſtolen, and thoſe who were eager to give evidence of ſimilar abuſes? However, ſince they were of opinion that there was nothing wrong in the caſe of Mary Rich, it was probable they would even then have declared the conduct of the governor to be immaculate.—Next came the ſecond report of the Grand Jury; concerning which he had juſt learned a moſt extraordinary circumſtance. About ten minutes ago he was called out into the lobby, and there told by the Foreman and ſeveral Members of the Jury, that they had never made ſuch a report in their lives. He reſpected their feelings too much to ſay one word of its contents. He regretted exceedingly that the ſecond report of the Traverſe Jury had not been laid before the Houſe, as it contained ſeveral facts of the greateſt importance; and he regretted this the more as he now found that it might have been called for, and the greateſt regard had to regularity and form. He ſhould move, that notwithſtanding what had been ſaid to

the contrary, it had been ſent in a regular manner, directed to Wm. Mainwaring, Eſq. Chairman of the Quarter Seſſions for the county of Middleſex.

The following was a Copy of the Letter which incloſed it—

SIR, *July* 12, 1800.

In conſequence of ſome remarks in the Houſe of Commons, concerning our inſpection of the Cold Bath Fields Priſon, the heads of which we preſented to you in open Court, on Thurſday the 5th of June laſt, accompanied with verbal remarks on the ſtate of the Priſon, by our foreman, who alſo informed you and the Court that the Jury would at any time, attend the Priſon Committee, to explain more fully to them the condition of the priſoners, as we had not time to draw up a full preſentment; therefore, we take the liberty of preſenting a full report of our inſpections; a copy of which we have preſented to the Grand and Traverſe Juries of the preſent Seſſions, for Middleſex, held at Clerkenwell Green.

W. Dickie, Foreman	Robert Scott
W. Watſon	Thomas M'Alpine
W. Dobſon	John Thomas
John Lloyd	John Beale.

To William Mainwaring, Eſq. Chairman of the Seſſions, Clerkenwell Green.

And delivered for him (he not being preſent) to the Deputy Clerk of the Peace, at the Seſſions Houſe, in open Court, on Monday, July 14th, 1800, by Mr. Beale.

The firſt report was extremely defective, as many of the priſoners, who were in the moſt deplorable condition, had been kept out of view. He ſhould ſtate a few circumſtances, every one of which he could verify by the moſt incontrovertible evidence, and which would ſhew to what an extent the Jury had been deceived; and what a loud call there was for the interference of that Houſe. A man of the name of George Hart died upon the 3d of June, and though he muſt have been in the priſon when the Jury viſited it, he never was produced to them. Another unfortunate man, named Chenau, died on the 14th July, and proof was repeatedly offered that he had been ſtarved to death, and as often rejected. Luke Earley expired on the 15th, and though it was told the Coroner that he died of want, none of the ſailors were called, who could have ſubſtantiated this charge;

charge; and one who had been examined before, and found to depoſe that this had been the caſe, was not allowed to give evidence by one of the jury, but another was ſubſtituted in his ſtead, who was perfectly ignorant of the whole tranſaction.

Sir Francis ſaid he hoped this was ſufficient to prove that great enormities were perpetrated within the priſon, and that the magiſtrates had been ſhamefully deficient in their duty. He hoped to make it as clear that the Houſe ſhould interfere without delay. The courts below were pointed out as the proper places to be applied to. How could a man whoſe laſt ſhilling has been extorted from him, who ſmarts beneath oppreſſion, and who trembles for oppreſſion ſtill more cruel, who is perfectly unknown (for one may eaſily be murdered there without the world being acquainted with the foul crime), and who has no way of informing his friends of his ſufferings, apply to a court of juſtice for redreſs? At Hicks's-Hall, the Monday before laſt, when Mr. Dickie, the foreman of the Traverſe Jury, and Mr. Beale, one of his colleagues, were preſent, a man of the name of Williams, who had been diſcharged from the priſon the night before, came in and told the juſtices that the man who died the day before had to his knowledge been ſtarved to death, and that many pining for want were concealed in the remote cells. As he was going away, the gaoler's clerk ran behind him, put his hands into his pockets, and tried to rifle him of his papers. He was carried back, and then Aris and the clerk actually robbed him of theſe documents. The Jury repreſented to the Court that it was their duty to protect him, but their worſhips paid little attention. Upon the repreſentation, however, of Mr. Agar, a barriſter, they returned him all the papers except one, which was a letter of great conſequence: that was retained by Mr. Robinſon, one of the juſtices. Was there ever a more nefarious proceeding?—Did not this prove that applications to the magiſtrates would be perfectly ineffectual, and that it was impoſſible for the wretched priſoners to convey their complaints to a higher tribunal? But, though they had the means of applying (as they have not) the inferior Courts were quite inadequate to correct the abuſes he complained of: they take cognizance of particulars, not of generals; they can redreſs the grievances of a ſingle individual, but they can in no ways redreſs thoſe of the public. A great, an enormous, and unſpeakable public grievance exiſted, and it could only be removed by

the interference of that Houſe. He had only given a few out of many inſtances of abuſe which he could have mentioned; theſe he ſhould prove at the bar, if an opportunity ſhould be afforded him, by the authority of many beſides the inmates of the priſon—by the authority of magiſtrates and others of the greateſt reſpectability. Several magiſtrates, it would appear, had complained, though the Priſon Committee turned a deaf ear to their complaints. The Houſe ſtood in a moſt delicate predicament: one of the arguments for ſmothering all enquiry he knew to be, that it would be a libel upon the Houſe of Commons, if, after what had happened, the Governor ſhould be found guilty. He did not demand redreſs for individuals, but he demanded a vindication of the rights of the community. He hoped that, when abuſes of this nature had come to this enormous height, the Houſe would ſhew that whatever differences might exiſt on political ſubjects, all were unanimouſly reſolved to protect the injured, to reſcue the wretched from oppreſſion, and to ſhew that cruelty was not to be inflicted with impunity, even on the loweſt and moſt profligate.

Sir Francis concluded by moving, That the Houſe do to-morrow reſolve itſelf into a Committee of the whole Houſe, to conſider the ſtate and management of the priſon of Coldbath fields.

The *Attorney General* entered into a vindication of the Coroner and of the Jury, who had inveſtigated into the caſe of Cheneau. The reſult of that inveſtigation was, that the man had been a long time in a decline, and that he died of a conſumption; an opinion that was countenanced both by the ſcrophulous habit of his body, and the mode of life he was known to have purſued. There could conſequently be no heſitation in pronouncing that the perſon in queſtion died in the ordinary courſe of nature, accelerated by the cauſes alluded to. As to the accuſations urged againſt Aris and his ſons, he had only to ſay, that if any of them were guilty of a felony, as the honourable Baronet had aſſerted, they ought to be indicted. Complaints were alſo made that ſummary juſtice had been reſorted to in the priſon, and that many other abuſes of a ſimilar nature were known to exiſt in it. Were gentlemen to conſult thoſe who preſide over theſe places of confinement, they might ſoon hear that ſummary puniſhment was often indiſpenſably neceſſary to preſerve rule and good order in them. The repreſentations, therefore, of the honourable Baronet of cruelties exerciſed in

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theſe inſtances, were, it muſt appear to every diſpaſſionate obſerver, moſt highly coloured. Was this a matter for the Houſe to interfere in? Surely not. For if they did interfere, what would be the reſult of their enquiry, unleſs it was to move an addreſs to his Majeſty that ſuch proſecution might be entered into as the crimes alluded to might call for and juſtify? That the Executive Government were always ready to do without any interpoſition of the authority of the Houſe to ſtimulate them to do their duty. If the gaoler, or any perſon under him, appeared to have been acceſſary to the death of a priſoner, or of having wantonly ill-treated him, he was liable, like any other perſon, to be indicted for his bad conduct, and it was open to the priſoners to indict him in the Courts of Juſtice. If due attention was not paid to their complaints in that quarter, then a repreſentation might be made to the Executive Government, who doubtleſs would be ready to bring any ſuch acts of cruelty and oppreſſion to condign puniſhment. It was, he believed, the over-ardent zeal of thoſe who interfered in theſe caſes, that had led them aſtray. Had Mr. Dickie, for example, been properly adviſed, inſtead of acting as he had done, he would have gone before the Grand Jury, and ſtated upon oath to them what he had diſcovered in this priſon. But, perhaps, he was not aware of the proper mode of conduct which he ought to have purſued. If the Magiſtrates had acted improperly, it was for the Executive Government to enquire into that miſconduct, and if found to be really ſuch, then his Majeſty would eraſe their names from the liſt of Magiſtrates. It therefore appeared to him, under every view of the motion, that it was not ſuch as was worthy of the Houſe to accede to. The Executive Government would not fail to take every ſtep that was neceſſary to enquire into, and puniſh the negligence of magiſtrates, ſhould they be convicted of negligence or miſconduct. But until the Executive Government had declined making ſuch enquiry, it was not proper for the Houſe to interfere.

Mr. *Sheridan* contended that his honourable friend (Sir F. Burdett) had made out an irreſiſtible caſe, and that the learned gentleman had not advanced a ſingle ſyllable to diſprove it. The learned gentleman appeals to old uſages, and tells us that the priſoners may have redreſs in the King's Bench if they applied for it; but in this appeal he forgets the nature of the priſon of which he had been ſpeaking; he forgets that it is a place of ſolitary confinement, not known

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in former times, or authoriſed by ancient uſages, but an inſtitution of yeſterday. He forgets that the very rules that were preſcribed for its management and regulation, had been ſhamefully neglected, and left wholly unexecuted too. The learned gentleman, when he argues againſt bringing ſuch a queſtion before the Houſe, ſhould recollect that his very arguments tend to libel the Houſe, as it had even laſt ſeſſion entertained the ſame queſtion: and what was the reſult of the motion in the laſt ſeſſion? At firſt the diſcuſſion of it was generally deprecated; but an hon. Member (Mr. Burdon) thought proper to move for a ſelect Committee, and his motion was unanimouſly agreed to. It was previouſly aſſerted that no reaſon of complaint could be ſhewn againſt the conduct of the priſon, yet a ſcene was afterwards diſcloſed of murder, extortion, cruelty, and theft. But the Committee, as well as the Houſe, were miſled in this point, and his honourable friend was furniſhed with documents completely to prove that they were ſo impoſed upon; for none of the regulations that ſhould guide the arrangement of the priſon, were attended to. Firſt it was to be viſited by two magiſtrates; they neglected their duty; and then a Viſiting Committee was appointed, who ſuperſeded the functions of the former. But it was always known when their viſits were to take place, and every grievance was removed that might attract their obſervation and cenſure. Mr. Sheridan here read part of the report of the Committee, upon which he very pointedly animadverted, and ſhewed the Houſe how much they ſhould regret ever having given it their ſanction. When the enquiry was inſtituted whether the beds, medicines, and other neceſſaries were properly attended to, who were the perſons examined? Why, the gaoler, the doctor, and the parſon; who all, no doubt, anſwered that every thing in their reſpective departments was ſedulouſly attended to; and what other anſwer could ſuch perſons make without criminating themſelves? The rules for the regulation of the priſon ſhould have been hung up in the priſon: no ſuch thing was done. Medical aid was to be given to the priſoners when they called for it: no ſuch aid was afforded in the caſe of Early. A third regulation required that a journal ſhould be kept by the Governor for the inſpecting of the viſiting magiſtrates, but it was confeſſed by that Governor that he had kept no journal for ſeveral months, and that on the moſt material occaſions. The three regulations were thus then moſt groſsly violated, and

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that by a man who, to the eternal ſhame of the juſtice and the humanity of the country, was ſtill continued in an office, the regulations of which he had ſo frequently and ſo flagrantly violated. Mr. Sheridan here entered into a detail of the various acts of miſconduct, of which the jaoler of the priſon had been guilty; his borrowing money from the priſoners by means of intimidation; his ill uſage of thoſe who had none to lend; his refuſal, without money, to allow the ſick to have the benefit of the Sick Ward; and his procuring the liberty of many perſons upon falſe pretences, who were able to gratify his avarice. All this had been proved to the Committee, and that by his honourable friend, againſt whoſe humane interference the foul ſlanders of that gaoler, whoſe character he had juſt deſcribed, had been ſo far attended to by the Secretary of State, as to have him prevented in future from viſiting any of the priſons. The learned gentleman ſays, that the priſoners might apply to the King's Bench. How was it poſſible, even had they the regular means of ſuch an application, that priſoners could convey their complaints againſt a man who was their head gaoler, and who had three of his ſons for his turnkeys? The very attempt might draw upon them worſe treatment than they had experienced before. Mr. Sheridan next adverted to the caſe of Cheneau, and read the following letter from James Williams, deſcribing the melancholy caſe of that unfortunate man, as well as the ſevere treatment to which he himſelf was expoſed:

SIR, *July* 27, 1800

The firſt of my being committed to the New Houſe of Correction, in Cold-bath Fields, was on Wedneſday the 11th of June, 1800, to the 14th July, being thirty-three days; from the 11th to the 23d of June, I had no other ſupport than bread and water. I deſired the turnkey to ſend me the doctor, but he never did; there were ten of us ready to faint away in the yard, we made application to the turnkey to ſpeak to the Governor, to let us have ſome broth; but he would not let us have any for a week after, until we were almoſt dying for want; but twelve days before the ſeſſions, we were ſerved with a little broth every other day. One Chenau was a priſoner with me in the ſame yard for twenty-ſix days, and had no ſupport but the ſame as I had, bread and water; about eight days before the ſeſſions he fell ill, and told me his illneſs was for want of food; he ſaid, his inſide was quite waſted, and told the turnkeys his ſtarving ſituation; they ſaid, they could not help it, there was no more allowed in that

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yard but bread and water. He told the turnkey to send the doctor, but he did not come for three or four days after, until he was too far gone; we told the doctor's man that Chaneau was dying, but he said he could lie in bed half a year if he would let him; however, on the 12th of July, he was admitted in the ſick ward, but he died next day, 13th of July, at night. Mr. Kahn was priſoner at the ſame time, and was two months there before me, and he had no allowance but bread and water; he was hardly able to crawl about the yard, and no perſon was permitted to ſee him.

(Signed) JAMES WILLIAMS.

Would not the Houſe interfere in a caſe of this black nature, or if they refuſed, muſt they not ſeem not only to neglect their duty, but to make a common cauſe with Mr. Aris? The Chancellor of the Exchequer appearing to admit the authenticity of this caſe, Mr. Sheridan rejoiced at the auſpicious omen, and confeſſed that the feelings of Miniſters muſt be ſhocked by it, as he was confident they were, as much as any of thoſe who were anxious for the inveſtigation, and he therefore augured that ſome good muſt ariſe out of it. It was impoſſible the thing could continue as it now ſtood; to a ſyſtem of ſolitary confinement there muſt be ſome end or modification. Its exiſtence, as it was now regulated, was inſeparable from the moſt crying abuſes. Mr. Sheridan now animadverted on the ſhameful want of neceſſaries; ſuch as beds, rugs, &c. which had been acknowledged to exiſt in the priſon; but obſerved, that the paper that was firſt read by a worthy magiſtrate (Mr. Mainwaring) was wholly different from that which was now before the Houſe. The hon. Gentleman then commented at large on the caſe of Mary Rich, and ſhewed how ſtrangely it was repreſented by twelve gentlemen, whoſe names he read, while he wondered how ſuch a paper could have been ſigned by any twelve human creatures. Upon the whole, it was evident that no redreſs could be expected from the magiſtrates. All the iniquities he had deſcribed were going on when the Committee were ſitting; but ſtill, both the Committee and the Houſe were deceived, and the report ſtated, that there was no room for any reprehenſion of the conduct of the priſon. The Houſe muſt now be ſenſible that they had been impoſed upon, and whatever might be the mode adopted by them, whether a direct enquiry, or an addreſs to his Majeſty, they muſt be convinced that no mode of enquiry could have any effectual weight without the concurrence and approbation of Parliament.

Mr. *W. Dundas*, as chairman of the Committee of the Houſe

House of Commons, who made a visitation to the prison in Cold Bath Fields, recapitulated the proceedings of that Committee, and argued that from every appearance in the prison at that time, nothing could be more favourable than its being a place well conducted, and in every respect healthy and convenient. He admitted that the Committee were extremely surprised, when they found the Governor had neglected to put up the regulations of the prison as required by the act of Parliament. But notwithstanding this he could not see that the hon. Gentleman who brought forward the present motion, had adduced any reason why Parliament should interfere.

Mr. *Sheridan* in explanation said, that the Committee did not sift thoroughly into the business; that they contented themselves with Dr. Glasse's representation, and examined no one but the surgeon, doctor, and gaoler himself: and with this information the Committee had thought themselves justified in winking at all these regulations.

Mr. *W. Dundas* explained.

Mr. *Martin* said that he believed the gentleman who first suggested the idea of solitary imprisonment was one of the worthiest characters that ever existed: but he was certain he never had an idea that it would have been carried to the length which it had been. For his own part he considered it as a punishment totally contrary to the fundamental principles of the constitution of this country; and he begged leave to return the hon. Member who brought forward this motion, his sincere thanks for the humanity which had dictated to him the line of conduct which he had pursued.

Mr. *Tierney* said, that it was his wish to reconcile the differences existing between the opposite sides of the House, and therefore he would propose that his hon. Friend should withdraw his motion, and he would move, That an humble address be presented to his Majesty, to request that his Majesty will be graciously pleased to give orders that an enquiry may be immediately made as to the state of the prison in Cold Bath Fields.

The *Chancellor of the Exchequer* did not consider the character of the House at all implicated. The Committee of last session might have reported correctly, and yet the facts stated by the hon. Gentleman might also be genuine. The report of the Committee was made several months ago; the statements of that evening were founded on the contrary, on occurrences which had taken place very recently. Thus might both the reports of the Committee proceed on undoubted and

incontrovertible facts. But with reſpect to the ſtatements of the hon. Gentleman, he begged to be underſtood as not adopting them in all their ſcope. Much certainly appeared that called for the attention of Government, but nothing, in his mind, to juſtify the interference of the Legiſlature. No man would think of juſtifying, for inſtance, the conduct of the magiſtrates, who had ſhewn a want of that feeling and circumſpection ſo eſſential to form the genuine character of a wiſe, upright, and humane magiſtracy. As to the motion for an addreſs, he ſaw no neceſſity for it, yet it being acknowledged on all hands, that there exiſted ground of inveſtigation on the part of Government, it being quite clear from the documents on the table, that the magiſtrates were to blame, if the motion for an addreſs ſhould be preſſed, he would not oppoſe it.

Sir *Francis Burdett* profeſſed himſelf extremely ready to do every thing in his power to reconcile jarring opinions in a caſe of this public and important nature: he therefore conſented that his motion ſhould be withdrawn; and expreſſed his acquieſcence in that made by his honourable Friend Mr. Tierney.

The motion of Sir Francis Burdett was accordingly withdrawn by conſent of the Houſe, and that of Mr. Tierney was agreed to without any diviſion. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 23.

Lord *Grenville* delivered a meſſage from his Majeſty, ſtating that his Majeſty had been given to underſtand that the Houſe was out of repair, and would not be large enough to receive the Lords when the Union ſhould take place; his Majeſty therefore had given directions to have the neceſſary alterations made; and, as a temporary accommodation, had ordered the Court of Requeſts to be fitted up and rendered convenient to ſerve as a Houſe of Lords againſt the next ſeſſion.

The meſſage having been read,

Lord *Grenville* moved an humble addreſs, thanking his Majeſty for his moſt gracious communication.

Lord *Grenville* then ſtated, that the office of chairman of the Committees, both public and private, was an office that required great ability, great induſtry, and a perfect knowledge of Parliamentary forms, and the rules of proceeding; that

that no noble Lord could be found, who poſſeſſed a larger ſhare of thoſe qualifications than the noble Lord who now, ſo highly to his own credit, and ſo much to the advantage of the Houſe and the public, held that office, the duties of which he diſcharged with ſingular diligence, correctneſs, and propriety. He moved, therefore, That the chairman of the Committees of the whole Houſe, and thoſe above ſtairs, be executed by one and the ſame perſon, who ſhould be choſen at the commencement of every ſeſſion. Ordered.

Lord Grenville next moved, That Lord Walſingham be appointed Chairman of the Committee for the remainder of the preſent ſeſſion of Parliament. Ordered.

Lord Grenville thirdly moved, That an humble addreſs be preſented to his Majeſty, beſeeching his Majeſty graciouſly to condeſcend to order ſuch proviſion to be made to the Chairman of Committees as to his Royal wiſdom ſhould appear to be proper. Agreed to.

Lord *Walſingham* roſe to expreſs his grateful thanks to the noble Secretary of State, for the handſome manner in which he had been pleaſed to expreſs himſelf of his humble endeavours to diſcharge the duties of the office which he had long held. He was not, he ſaid, entitled to claim any other merit than that of an earneſt deſire to afford ſatisfaction to the Houſe, and do juſtice to the ſuitors for bills, and the public. The office in queſtion, he aſſured their Lordſhips, involved in it no light or trivial duties; and, if the Houſe thought that there was any merit in the manner in which he had diſcharged them, that merit was rather due to the able aſſiſtance afforded him by the noble and learned Lord on the Woolſack than to himſelf, as, without ſuch powerful advice and ſupport, he could not, he feared, have acquitted himſelf either to the ſatisfaction of their Houſe or to the ſatisfaction of his own mind.

In the Committee on the Lunatic Treaſon Bill, Earl Stanhope moved the following clauſes:

"Provided always, That any perſon who ſhall be ſo committed, ſhall and may, during the time of ſuch commitment, be at full liberty to apply to any perſon or perſons for medical aſſiſtance and advice, at his or her will and pleaſure, and to ſee ſuch perſon or perſons.

Provided alſo, That any perſon who ſhall be ſo committed, ſhall and may, during the time of ſuch commitment, be at full liberty to apply to any perſon or perſons for legal aſſiſtance and advice, at his or her will and pleaſure, and to ſee ſuch perſon or perſons in private.

Provided alſo, That any perſon who ſhall be ſo committed, ſhall not be debarred pen, ink, and paper, nor the liberty of informing his relations or friends of his commitment.

Provided alſo, That any perſon who ſhall be ſo committed, ſhall be at liberty to apply to, and be brought before any one of the Judges of any of his Majeſty's Courts at Weſtminſter which he or ſhe ſhall think fit, in order to be admitted to bail.

They were ſeverally negatived on a diviſion.

LONDON FLOUR-COMPANY BILL.

The order of the day having been read, for going into a Committee on this Bill,

Lord *Walſingham* took his ſeat at the table, and counſel were called to the bar.

Mr. Jackſon was proceeding to open his argument in ſupport of the petition of the bakers againſt the clauſes of the bill; when

Mr. Garrow apologiſed for interrupting his learned Friend for a few minutes; but he had a complaint to ſtate reſpecting a groſs miſrepreſentation of what he had the honour of ſtating to their Lordſhips upon the ſubject of the preſent bill a few days ſince. In a morning paper of the preceeding day, in a report of what was ſuppoſed to have paſſed in a debate laſt Monday, the following ſentence was put into Earl Stanhope's mouth. "He could not help taking notice "of the expreſſion which had been made uſe of by Mr. Gar"row, the counſel, in ſupport of the bill; an expreſſion "which he would not have dared to utter in any other place, "becauſe it would have juſtly ſubjected him to a proſecution. "This man, without calling a ſingle witneſs, and without a "ſhadow of proof, had the audacity to ſay, that the millers "who petitioned againſt the bill, were a ſet of *raſcals*."—Mr. Garrow ſaid he could confidently appeal to the recollection of the Houſe, and to the noble Earl himſelf, whether he had acted in a manner ſo indecent to the Houſe, ſo unwarrantable with reſpect to the petitioners, or ſo unbecoming himſelf, as to hold ſuch language, and alſo whether the noble Lord had, in his ſpeech upon the bill, ſaid any thing like the animadverſion and charge againſt him, which the words of the paragraph he had taken the liberty of reading to their Lordſhips imported? But the writer, it ſeems, had not ſufficiently gratified his malicious intentions towards him, by the inſertion of the libel of which he had complained, but in the very

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next paper, (the paper of that day) under the pretence of correcting his ſtatement, had publiſhed an *erratum* in the following words: "In our report of Lord Stanhope's ſpeech "in the preceding day's paper, the third ſentence ſhould be "read as follows:—'The counſel, when pleading at the bar "in ſupport of the bill, ſpoke of the millers as if he conſidered "them little better than raſcals." This, Mr. Garrow ſaid, was an additional falſe and ſcandalous libel upon him, tending evidently to injure his character, and hold him out to the public in an odious point of view. It was well known, he ſaid, that ſome of the perſons engaged in newſpapers were concerned in the oppoſition to the bill, and one of them in particular, who was the proprietor of his own paper, had a material intereſt at ſtake, which he conceived, whether juſtly or not was no conſideration for him to diſcuſs, would be ſeverely affected if the bill paſſed into a law. It was natural for him to look to ſuch papers, to ſee if any attack or animadverſion was made on what paſſed reſpecting the bill at the bar of that Houſe, but in thoſe papers he ſaw no ſuch ribaldry or nonſenſe as that he complained of, and the reaſon was obvious, that printer was a gentleman, as ſeveral other printers were, and cautiouſly guarded againſt all perſonality and invective. Mr. Garrow ſaid it was well known that their Lordſhips on all occaſions, in a manner highly becoming the dignity of ſo auguſt an aſſembly, protected witneſſes called to their bar, as was the caſe in every Court of Juſtice. He truſted, therefore, that they would alſo have the goodneſs to extend the benefit of their protection to counſel, whoſe duty it became to argue at their bar in ſupport of the intereſts of their clients, as without that protection being extended to them, it would be impoſſible for Gentlemen of the profeſſion he had the honour to belong to come to their Lordſhips' bar, and diſcharge their duty in ſafety; he had, therefore, with great deference and humility, to ſubmit himſelf to the candour of the Houſe, begging pardon for having intruded much longer that he intended, but to hope, not only on account of his own individual feelings, but on much higher ground, viz. for the preſervation of the privileges of their Lordſhips as a Houſe of Parliament, that they would take him under their protection.

The *Lord Chancellor* moved that the counſel do withdraw. His Lordſhip ſaid it was undoubtedly true as the learned Counſel had ſtated, that every Court of Juſtice in Weſt-

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minſter Hall, and elſewhere, did conſider the counſel who pleaded before them as under their protection; and if a ſimilar freedom had been taken with any Gentleman at the bar for having diſcharged his profeſſional duty in any of thoſe courts, it would have been conſidered as a high contempt of court, and have been ſeverely puniſhed. His Lordſhip ſaid he had the pleaſure to have been acquainted with Mr. Garrow for many years, and knew him to be not only a man of great profeſſional talents, of ſound judgment, and acute diſcernment, but of great candour and liberality. He never knew him to obtrude beyond the ſtrict line of his duty, or to preſs upon a witneſs indiſcreetly and harſhly, but, on the contrary, he had himſelf witneſſed his forbearance on motives of conſideration, and humanity, in caſes where men of leſs candour might have preſſed their examination of a witneſs in ſuch a manner as to occaſion a good deal of diſtreſs and pain to his feelings. In the preſent inſtance his Lordſhip ſaid, he had not a moment's heſitation in declaring that Mr. Garrow was entitled to what he had requeſted, viz. to be taken under the protection of the Houſe, and therefore he ſhould move, that when the Houſe ſhould be reſumed, the Chairman do report to the Houſe a ſtatement of the complaint made by the learned gentleman at the bar.

Earl *Stanhope* ſaid, that he not only believed himſelf that he had not uſed the expreſſions imputed to him in the printed paper, but had been aſſured by ſeveral noble Members of the Houſe who had heard him deliver his argument, as well as by ſeveral gentlemen who were not Members, but who alſo heard him, that he had not uſed any ſuch expreſſions. Indeed, the writer's having inſerted an *erratum* in order to correct his firſt ſtatement, implied a conſciouſneſs that he had miſconceived his expreſſions.

The motion, That the Chairman do report the complaint to the Houſe when it ſhould be reſumed, was agreed to.

Mr. Jackſon then proceeded, and with great ability, and eloquence ſupported the petition of the bakers, contending that they would not only be materially injured in their property and buſineſs, but expoſed to utter ruin, if the clauſe authoriſing the Company to manufacture one hundred and twenty thouſand ſacks of wheat in every year, and make weekly any quantity of flour and meal into bread not exceeding two hundred ſacks, paſſed as it ſtood in the bill.

Mr. Garrow occaſionally interrupted his learned friend;

and,

and, when Mr. Jackſon began to mention the quantity of the bread made by the Union Mills at Birmingham, Mr. Garrow appealed to the Committee whether that had any the ſlighteſt connexion with an argument in that ſtage of the bill, upon its clauſes?

The Lord Chancellor and the Earl of Liverpool concurred with Mr. Garrow, and conſidered it as irrelative.

Lord *Hobart*, on the contrary, obſerved, that great ſtreſs had been laid in debating the principle of the bill on the bread made by the Union Mills at Birmingham; it was, therefore, perfectly correct in the learned counſel for the bakers, to deſire to ſhew the Committee that the bread made by the Birmingham Mills was ſuch as would not find ſale, or gratify the taſte of the metropolis.

Lord Hobart was ſupported in this opinion by the Earls of Weſtmoreland and Stanhope.

The *Lord Chancellor* moved a queſtion, "That the counſel ſhould be allowed to give evidence as to the quality of the bread made by the Union Mills at Birmingham."

As this queſtion was conſidered to have been moved by the noble and learned Lord with an intention on the part of the ſupporters of the bill to negative it, it was ſtrenuouſly oppoſed by Lord Hobart, Lord Weſtmoreland, Lord Stanhope, and Lord Romney.

At length the Committee divided, when Earl Stanhope and the Earl of Liverpool were the tellers, who could not agree as to their report of the numbers; Lord Liverpool contending that the numbers were:—

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But Lord Stanhope obſerving, that as the Biſhop of Lincoln had not had his lawn ſleeves on, that he ought not to be counted, and therefore his report of the numbers were:

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A debate upon this ſubject was maintained with ſome earneſtneſs.

The *Lord Chancellor* declared, that, in his opinion, a biſhop might vote either in his lawn ſleeves or in his robes, and in proof of it, his Lordſhip ſaid he had, more than once, ſeen biſhops vote in a Committee of Privileges without their lawn ſleeves.

The Duke of *Clarence* ſaid, certainly it made no difference as to the diviſion, becauſe, without counting the Biſhop of Lincoln, the queſtion was negatived by a majority; but if there was any doubt, that doubt ought to be ſettled.

Lord

Lord Hobart, Lord Stanhope, Lord Guilford, and Lord Weſtmoreland, concurred in this opinion, and the latter noble Lord having appealed to the Biſhop whether, in candour, he had not better not be counted?

The Biſhop roſe to reply, but Earl Stanhope declared, that if the Right Rev. Prelate was incompetent to vote, he was incompetent to ſpeak, and moved, That the queſtion reſpecting the right of a Biſhop to vote without having his lawn ſleeves, be referred to a Committee of Privileges; obſerving, that they could not proceed in the Committee any further till the point was ſettled.

The *Lord Chancellor* moved, that ſtrangers do withdraw, and after they had been out about a quarter of an hour, the doors were again opened to them, and it was underſtood below the bar, that the motion for referring the queſtion reſpecting a Biſhop's right to vote was referred to a Committee of Privileges on Monday next.

Mr. *Jackſon* then examined Mr. Andrew Wright, the Maſter of the Baker's Company, and Mr. Loveland, as to the effect they expected as likely to reſult to their intereſts, from the clauſe authoriſing and empowering the Flour-Company to make two hundred ſacks of flour and meal into bread weekly. They anſwered, that it would materially affect their intereſts, as the Company could clearly afford to underſell them in the ſtandard wheaten bread, which, as the law ſtood, they were not allowed to make. Mr. Jackſon then finiſhed his argument.

Mr. Adam appeared as counſel for the merchants of London, importers of foreign corn. He begged leave to ſtate, that as the Houſe had not made an order to hear the petitioners until the night before, the witneſſes whom it was his inſtructions to call to their Lordſhips' bar, were not appriſed in ſufficient time to be preſent this day. He ſubmitted to their Lordſhips, whether, under the circumſtance of the very ſhort notice which had been allowed the petitioners, they would indulge him till next day; or whether he ſhould proceed forthwith.

The Earl of *Liverpool* ſaid, that he could not poſſibly agree in poſtponing the matter.

The Duke of *Clarence* begged to explain to the Houſe the peculiar circumſtance of this petition. The merchants had applied to him to preſent the petition, which accordingly he had done on Monday laſt; but he had not adverted to that part of the prayer which related to their being heard by counſel

counſel and witneſſes at the bar; and an order was made only for the petition to lie on the table. It was not till laſt night that the miſtake was diſcovered, when the order for their attendance was put on the Journals. He begged, therefore, to take the whole blame upon himſelf, and hoped that the petitioners would not ſuffer on account of the error, of which the whole of the guilt, whatever it might be, was imputable to him alone, and for which he begged pardon of the Houſe.

The *Lord Chancellor* ſaid, what had fallen from his Royal Highneſs was extremely handſome on his part, but he begged leave to do juſtice to the illuſtrious perſon who had done the petitioners the honour to preſent their petition. It was their fault in not informing his Royal Highneſs, at the time of the prayer of the petition, and he had no heſitation in ſaying, that it was a trick to entrap the Houſe into delay.

The Earl of *Guilford* ſaid, that the expreſſion made uſe of by the noble and learned Lord, was not quite conſiſtent with the terms uſually applied to proceedings in that Houſe; and really after the very liberal and handſome manner in which an illuſtrious perſon had explained the circumſtance, he did not expect to hear that the petitioners againſt a bill which was to affect their property, if not to ruin it, and which had paſſed through many of its ſtages, in a manner which might entitle him to throw back the ſame term which had been uſed on the other ſide, were to be treated with this ſeverity. It was a bill in his mind of ſuch ſerious and grave importance, that he knew not how their Lordſhips could, conſiſtently with the reſpect which they owed to the country, proceed in it without hearing the evidence to be offered by the merchants of London. Their petition ſtated, that if this bill ſhould paſs into a law with certain clauſes which now ſtood in it, that they could not venture to import corn, however urgent the neceſſity, and that foreign merchants would be equally afraid to conſign corn to the London market. Were theſe trifling conſiderations? Was the adjournment for a ſingle day a matter of ſuch importance, as to deprive the Houſe of this information? Did the Houſe in their wiſdom conceive that they knew more about this matter than the merchants whoſe buſineſs it was; and for whom it was acknowledged this country owed the greateſt obligations? He called on their Lordſhips to pauſe; and conjured

conjured them to reflect in time what might be the conſequences of all this precipitancy.

Lord *Weſtmoreland* joined with the noble Earl in preſſing on their Lordſhips' conſideration the decorum of proceeding with due and juſt deliberation on a ſubject where property to the amount of millions was at ſtake; and he begged them to recollect what was the preciſe time of the year when this bill was brought into Parliament, that if he could bring himſelf to uſe the ſame ſort of language which had been thrown out, he might perhaps ſtate certain irregularities in the progreſs of this bill, which might entitle him to throw back the aſperſion from whence it came. But he would content himſelf with ſaying that the bill had paſſed with only the *ſwinging* majority of one of the numbers preſent; and he would take the liberty to ſay, that though it was competent to the Houſe by its rules to call for proxies, a right which he did not mean to queſtion, yet on a bill of this nature, to vote away the property of individuals by proxy; that is, by abſent perſons who had not heard one word of the evidence, and who therefore could not be ſuppoſed to underſtand the caſe, it was not quite conſiſtent with decorum to exerciſe the privilege. It would go forth to the country as a moſt extraordinary proceeding if they ſhould hurry this meaſure through without hearing the witneſſes of the merchants, and ſurely if noble Lords perſiſted, he muſt retort the charge which they had thrown out.

The Earl of *Liverpool* ſaid, he ſhould certainly perſevere in oppoſing all further delay, and he muſt ſubmit to whatever cenſure the noble Lord ſhould think proper to throw on him.

Earl *Stanhope* ſaid, from his own knowledge that one merchant importer, capable of giving to the Houſe eſſential information on the ſubject, who had attended for the purpoſe of being called, underſtanding he was not to be ſo, had left town for Liverpool. He was convinced that this was the moſt important part of the whole meaſure. We owed to the merchant importers that we had not this year been ſtarved. Paſt experience had ſhewn that if the taſk of importation was again to be taken up by Government, or by any body of men connected with Government, moſt ſerious calamity might be apprehended. He had no doubt but that they had moſt eſſential evidence to produce.

The Houſe divided on a queſtion of adjournment, when it was carried in the negative.

Counſel

Counſel were then called in, and Mr. Adam was called upon to proceed.

Mr. Adam then ſet forth the caſe of the merchant importers, and ſhewed, in a moſt able argument, how this bill, by a ſingle clauſe in it, which left the new company free to lay up wheat, and bring it out again to ſell unmanufactured, while they were protected from all loſs beyond the amount of their capital, would entirely deprive the Nation of all the benefit of the Corn Laws. While ſuch a power was erected no other perſon would hazard his fortune; and the whole would come into the hands of this Company. By being called upon to go on this night, he had not the means of ſhewing to their Lordſhips all the influence which this would have in deterring other merchants from exerting themſelves to procure corn in a moment of ſcarcity. He muſt confine himſelf to the evidence of Mr. Claude Scott and Mr. Kingsford, already on the table. He contended, that if the exiſting laws had been found inſufficient, or that the ſyſtem, and the ratio at which wheat was made importable were wrong, it would be wiſe and becoming in the Legiſlature to repeal or alter them; but it ſurely was not wiſe nor prudent to do them away by a ſide wind, which this bill would effectually do. It would take from the merchant all confidence, all ſecurity, all rule in his dealings; and the fatal experience they had had in 1796 taught them how to eſtimate the danger of an equivocal dependence.

Mr. Garrow then was heard in anſwer both to Mr. Adam and Mr. Jackſon, and in obſervation on the evidence adduced in ſupport of the baker's petition. He ſaid, that, ſurely, if the merchants of London were alarmed, they might, at any hour, have got evidence, without aſking for delay; but the truth was, he believed, that there was nothing tremendous in the power which the clauſe referred to by his learned friend, gave to the new company. They were to be permitted to manufacture 120,000 ſacks of flour, but not compelled; and therefore they might ſtore up wheat, and might even ſell it again unmanufactured. This was poſſible caſe, but was it at all likely? Their object was to manufacture, not to be dealers in wheat; but, undoubtedly, they might have occaſion, at times, to diſpoſe of it in its raw ſtate. They muſt have the power to get rid of it if it ſhould become muſty on their hands; but he ſaw no terror to the corn merchants, or to the country, in the powers with which they were to be inveſted.

been received of the Emperor having ratified the armiſtice in Italy?

Mr. *Dundas* could not ſay that he was prepared to give any anſwer to ſuch a queſtion.

Mr. *Tierney* then ſaid, that when another opportunity offered, unleſs he got a ſatisfactory anſwer to that queſtion, he ſhould move that it was not lawful to ſend money to his Imperial Majeſty if he had ſigned ſuch an armiſtice, or at leaſt that no money ſhould be ſent to him before the actual recommencement of hoſtilities. The public would then have the conſolation of knowing, that if the war was not to be continued, their money ſhould not be laviſhed away for nothing.

The *Speaker* intimated to the hon. Gentleman, that on the future ſtages of the Bill, even the next day, he would have an opportunity of renewing his queſtion, or of moving his intended clauſe, if ſuch ſhould then be his opinion.

EGYPT.

Mr. *T. Jones* ſaid, that it was with much reluctance that he again roſe to bring forward a motion relative to the infraction of the Convention that had taken place in Egypt; but as it appeared to be the concurrent opinion of many Gentlemen on both ſides of the Houſe, that a perfect ſtatement of what had paſſed on that important occaſion ſhould be laid upon the table, he felt it to be his duty to perſevere, and he ſhould never ſhrink from diſcharging what he conceived to be his duty. The tranſaction which his motion had in view, was a tranſaction of the moſt delicate and momentous nature, and as ſuch it called for a ſtrict, immediate, and thorough inveſtigation. He could not conſcientiouſly forbear preſſing for this inveſtigation, though he was conſcious that in his endeavours to promote it, he ſtood unaſſiſted either by the influence of power or patronage, or the conſciouſneſs of prevailing abilities. With the jealouſy and backwardneſs of Miniſters to grant the peruſal of official documents, he was little diſpoſed to find fault, but to a conſtant and uniform refuſal on their part to produce papers to guide the conduct of the Houſe, he ſhould never ſubſcribe; for an acquieſcence in ſuch a general refuſal muſt go to prevent and preclude every enquiry whatever. During the ſhort time he had the honour of a ſeat in the Houſe, he had obſerved two or three refuſals to produce papers which he ſaw nothing to juſtify; for no danger could have reſulted from the production of them. Such was not the conduct of Miniſters during the American

American war; and many were the abuſes which the timely productions of ſuch documents had prevented. As to the papers he ſhould move for, he could ſee no danger or inconvenience that could ariſe from producing them. On the contrary, the production of them might be attended with this good effect, that it would clear up the miſunderſtanding that ſeemed to have prevailed in this tranſaction between his Majeſty's Miniſters, the French General, and our Allies. He truſted, at leaſt, that the uſual urbanity and condeſcenſion of the right hon. Secretary would incline him to anſwer a few queries, which he (Mr. Jones) would take the liberty of putting to him. Was Sir Sidney Smith appointed Plenipotentiary to the Court of Conſtantinople; or, if not, why was he heaped with ſuch high honours by the Grand Vizier? What powers or documents was Sir Sidney armed with to prevent his being detained by Lord St. Vincent at Gibraltar? What particular kind of diplomacy was his which enabled him to ſuperſede Commodore Trowbridge? Had he, or had he not powers to conſent, in concert with Ghezzar Pacha, to the ſafe return of the French from Egypt? Did Miniſters previous to the 24th January, 1800, countermand the order under which Sir Sidney had acted in the month of May? Or, have they ſince expreſſed any diſapprobation of his conduct? Was not the letter, bearing the information of our repugnance to ratify the Convention, conveyed to General Kleber, before it was conveyed to our ally the Porte? Of what fatal conſequence might not that have been both to the perſon, the authority, and to the already enfeebled Government of that Grand Seignor? Was not the advantages of the evacuation of Egypt by the French generally felt and acknowledged? Would not their prolonged poſſeſſion of it render our territorial acquiſitions and empire in India inſecure to Great Britain? If theſe queſtions were duly conſidered, the motions he ſhould now have the honour to ſubmit to the Houſe, could not be deemed unimportant, at leaſt it muſt be ſeen that this tranſaction, on which the honour and intereſts of the Country ſo much depended, ſhould be ſifted to the bottom. Mr. Jones then concluded by moving an humble Addreſs to his Majeſty, praying that he would give inſtructions for the production of a variety of papers, the nature of which will appear from the following motions made by Mr. Jones:—

That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to give directions, that the appointment of Sir Sidney Smith, at the Court of Conſtantinople, be laid on the table of this Houſe.

That an humble Addreſs preſented to his Majeſty, that he will be graciouſly pleaſed to give directions, that the appointment of Mr. Spencer Smith, at the Court of Conſtantinople, be laid on the table of this Houſe.

That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to give directions, that the appointment of the right hon. the Earl of Elgin, at the Court of Conſtantinople, be laid on the table of this Houſe.

That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to give directions, that the Extracts of all Letters paſſing to and from the right hon. the Earl of Elgin, Sir Sidney Smith, Mr. Spencer Smith, and any of his Majeſty's Miniſters, relative to the Convention for the Evacuation of Egypt, be laid on the table of this Houſe.

That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to direct that a Copy of the Treaty made on board his Majeſty's ſhip the Tigre (in the 11th Article of which Great Britain and its Allies, the Porte and Ruſſia, are conſidered as parties to the ſame, and to enſure a ſafe return to the French Army) be laid on the table of this Houſe.

That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to give directions, that Copies of the Inſtructions given to the right hon. the Earl of Elgin, Sir Sidney Smith, Mr. Spencer Smith, and the Commander in Chief of the Fleet in the Mediterranean, relative to the evacuation of Egypt, be laid on the table of this Houſe.

Mr. *Secretary Dundas* ſaid, that the ſtatement he had made when a ſimilar motion was on a former day brought forward by the honourable gentleman, would be now a ſufficient anſwer to what was again urged this day in its favour. The Houſe would doubtleſs feel how proper it was to go into a general enquiry into the nature of the connection that ſubſiſted between the Porte and Great Britain, and of the communications that had reciprocally taken place between the two Cabinets during the various and daily ſhifting viciſſitudes of a war like the preſent. To hint even at the inconvenience and danger that muſt attend ſuch a diſcloſure, muſt alone be ſufficient to diſſuade the Houſe from entertaining ſuch a motion. He had before obſerved, that the production of any ſingle paper that the honourable gentleman called for, would be wholly uſeleſs and of no avail towards an enquiry, unleſs the whole of what paſſed between his Majeſty's Miniſters and thoſe employed by them in what

regarded

regarded Turkey, and Egypt, was laid before the Houſe. He would now again leave it to the feelings and the good ſenſe of the Houſe, of what conſequence it muſt be to divulge to every power, either friendly or hoſtile, all the confidential communications which at a critical moment like the preſent muſt have paſſed between the Porte and the Britiſh Cabinet. As to Sir Sidney Smith, he never had any command in Egypt, but always acted under the orders of the Commander in Chief in the Mediterranean. His name, indeed, was joined with that of his brother in ſigning the treaty at Conſtautinople, but that was merely to give more eclat to the tranſaction, and all his diplomatic powers ceaſed the moment he had ſigned it, nor had he any authority to interfere in any other negociation, no more than any individual in the Houſe. This explanation would, he hoped, ſatisfy the honourable gentleman, at leaſt he truſted the Houſe would ſee what danger muſt ariſe to the public ſervice from the production of all the papers that were moved for.

Mr. *Robſon* began by apologizing for the motion he had made, reſpecting the Imperial loan. It was ſuggeſted merely by the alarm and anxiety he always felt when he ſaw the public money wantonly ſent out of the country. As to the motion now before the houſe, he was at a loſs to diſcover what inconvenience or danger could ariſe from agreeing to it. In the American war, papers of as great or greater conſequence, were laid before the Houſe, eſpecially in the year 1775, 1776, and 1778, nor did Miniſters then refuſe them on the plea of their production being of a dangerous tendency. The honourable gentleman then went into a retroſpective view of the negociation that was concluded in Egypt, and of the circumſtances which led to it, from the the time it was firſt commenced by Bonaparte, till it was finally concluded by Kleber. If it was right now to enter into ſuch a negociation, ſurely it was equally right then. The great object to be obtained by it was the evacuation of Egypt by the enemy; and for this we were indebted to Sir Sidney Smith. It was he who ſaw the great utility of it: it was he who accordingly promoted it: nor would it ever have been carried on without the influence of Sir Sidney, who prevailed upon the French and Turkiſh officers to come on board the Tigre, and to open the negociation. Without his guarantee, Kleber would not have truſted to the Turks; without his interpoſition, therefore, the negociation would not have gone on; can it then be well conceived that Sir

Sidney Smith would have ventured ſo far, without being veſted with any powers? Surely not; in common juſtice, therefore, an enquiry ſhould be inſtituted into the ſituation in which Sir Sidney was placed. In calling for this enquiry, he did not call for documents reſpecting the adminiſtration of India, or the conduct of the Admiralty; the country knew and felt with gratitude, that theſe departments were ably filled, and their reſpective tranſactions ſucceſsfully conducted. An enquiry was only ſolicited, to detect ignorance, or incapacity, and to diſcover thoſe to whoſe want of foreſight and ability our public miſcarriages and misfortunes were juſtly to be aſcribed. Enquiry ſhould particularly be inſtituted reſpecting the expenditure and appropriation of the public treaſure. He had called for papers on this ſubject, but they were refuſed. What means were left to detect or redreſs the abuſes which were daily committed in the Exchequer department! The honourable gentleman was proceeding to inveigh againſt the miſapplication of the public money, when he was called to order, by

The *Speaker*, who obſerved that the courſe the honourable Gentleman's ſpeech was taking, was extremely irregular, and it was for the Houſe to ſee if he ſhould be permitted to indulge in ſuch irregularity.

Mr. *Robſon* aſſured the Houſe, that he did not mean to wander from the queſtion; in a criſis like the preſent, and when Parliament was on the eve of being prorogued, with what face could ſuch an enquiry be reſiſted—it was well known that the Turks and the French were anxious for Peace; but any thing that looked like peace and reconciliation, was viewed with a jealous eye by the preſent adminiſtration. This the Houſe muſt be aware of, and they muſt have loſt their ſenſes indeed, who expect to ſee during the receſs, either the war rigorouſly proſecuted, or a peace dextrouſly negociated. He at leaſt hoped and truſted that our beloved Sovereign was not among them.

Mr. *Tierney* ſaid a few words in favour of the motion.

Mr. *Jones* replied to the ſeveral arguments which had been adduced againſt his motion; and concluded by hoping, that the Houſe would agree with the motion he had made.

On this queſtion a diviſion took place.

For the motion - -	3
Againſt it - -	33

The Workmen's Combination Bill was read a third time, and paſſed.

INDIA

INDIA BUDGET.

Mr. Secretary *Dundas* ſtated, that it was his wiſh to give, as nearly as poſſible, a true ſtatement of the India Company's Affairs; for this purpoſe he detailed the following Statements, under the head of a

GENERAL VIEW.

RESULT OF THE YEAR 1798-9, COLLECTIVELY.

			£.	£.
Revenues.—Bengal,	C.R.	615,36,152	6,153,615	
Madras,	Pags.	52,73,049	2,109,220	
Bombay,	Rups.	33,29,657	374,586	
			Total Revenues	8,637,421
Charges.—Bengal,	C.R.	412,42,912	4,124,291	
Madras,	Pags.	88,59,241	3,543,686	
Bombay,	Rups.	112,94,425	1,270,622	
			Total Charges	8,938,599
Net Charge of the three Preſidencies				301,178
Add, Supplies to Bencoolen, &c.		C. Rs.	1,206,681	120,661
			Total	421,846
Add further, Intereſt paid on Debts—				
Bengal, by No. 18.	C.R.	50,98,998	509,900	
Madras, 19.	Pags.	4,01,219	160,488	
Bombay, 20.	Rups.	5,07,623	57,107	
				727,495
Deficiency of the Revenues from the Territories, &c.				1,149,341
Deduct, Amount Sales of Imports, by No. 15, Current Rupees, 54,29,406				542,941
			The Difference	606,400

is the amount in which the charges incurred, and the intereſt paid on the debts, have exceeded the reſources from the territorial revenues, and from the ſales of imports.

Amount advanced for purchaſe of Inveſtments, Payment of Commercial Charges, and in aid of China Inveſtments.				
Bengal, No. 18.	C.R.	87,76,841	877,684	
Madras, 19.	Pags.	10,09,891	403,957	
Bombay, 20.	Rups.	16,81,235	189,138	
Bencoolen, 22.	C.R.	3,63,555	36,345	
			Total Advances for Inveſtment	1,507,124
Cargoes invoiced from India to Europe in 1798-9, with Charges, per No. 22.	C.R.	122,45,043		1,224,504

GENERAL VIEW.

RESULT OF THE ESTIMATES 1799, 1800, COLLECTIVELY.

Revenues.—Bengal,	C.R.	6,19,67,332	6,196,733		
Madras,	Pags.	62,68,986	2,507,594		
Bombay,	Rups.	32,74,366	368,366		
			Total Revenues		9,072,623
Charges.—Bengal,	C.R.	4,15,75,534	4,157,553		
Madras,	Pags.	68,40,077	2,739,230		
Bombay,	Rups.	1,28,93,125	1,450,476		
			Total Charges		8,347,259
Net eſtimated Revenue of the three Preſidencies - -					725,434
Deduct, Supplies to Bencoolen, &c. C.R. 10,09,200 -					100,920
			Remainder		624,514
Deducted from Intereſt on Debts, by No. 16, Current Rupees 91,56,876 - - -					915,687
Net Deficiency from the Territorial Revenues -					291,173
Deducted from eſtimated Amount Sales of Imports, by No. 15. C.R. 62,47,266 - -					624,727
			The Remainder		333,554

is the amount eſtimated to be applicable in the year 1799—1800, to the purchaſe of Inveſtments, Payment of Commercial Charges, &c.

DEBTS IN INDIA.

Amount ſtated laſt year -	11,03,26,452	11,032,645
Amount this year by No. 16. -	12,99,55,259	12,995,526
Increaſe -	1,96,28,807	1,962,881
Debts transferred in the year (No. 17)	27,45,158	274,516

DEBTS BEARING INTEREST.

Amount laſt year - -	8,93,36,486	8,933,648
Amount this year (No. 16) - -	10,19,05,285	10,190,528
Increaſe of Debt bearing Intereſt	1,25,68,799	1,256,880
Amount of Intereſt payable by the Accounts of laſt year - -	75,81,353	758,135
Amount of Intereſt payable by the Accounts of this year, by No. 16 -	91,56,876	915,687
Increaſe of intereſt payable annually -	15,75,523	157,552

ASSETS

ASSETS IN INDIA.

Conſiſting of Caſh, Goods, Stores, &c. laſt year - -	9,92,29,034	9,922,903
No. 21, Ditto by the preſent Statements	10,25,91,069	10,259,107
Increaſe of Aſſets -	33,62,035	336,204
Deduct, Increaſe of Aſſets from Increaſe of Debts, the ſtate of the Company's Affairs in India is worſe by -	1,62,66,772	1,626,677

HOME ACCOUNTS, preſented 24th April and 11th inſtant.

Aggregate Amount of Sales, 1799, 1800 -		£. 10,160,620
Leſs than laſt year - -		154,646
Deficiency on Company's Goods alone -	£. 969,339	
Exceſs on Private Trade Goods -	707,021	
Exceſs on Sale of Neutral Property -	107,672	
The Sales of the Company's Goods, eſtimated at -		7,863,000
Actually amounted to. - - -		7,367,727
Leſs than eſtimated -		495,273
The Receipts on the Sales of the Company's Goods, eſtimated at - - -		7,840,328
Actually amounted to - - -		7,209,849
Leſs than eſtimated - -		630,679
Charges and Profit on Private Trade, eſtimated at -		120,000
Actual Amount - - -		202,969
More than eſtimated -		82,969

GENERAL RESULT.

The Balance was expected to be againſt the Company at the cloſe of the year 1799, 1800, to the amount of -	565,988
Whereas, notwithſtanding the deficient receipt from the Sale of the Goods, and notwithſtanding the aid afforded to India and China exceeded the eſtimate, by a ſmall iſſue of Bonds, by a leſs payment on Cuſtoms and Freights, and by the protraction of the intended Payments to the Bank, the actual Balance proved to be in favour -	403,322
Being better than eſtimated -	£. 969,310

ESTIMATE 1800, 1801.

No. 23, Receipt for Sales of Company's Goods -	6,201,000
Reſult—The balance is expected to be againſt the Company on the 1ſt of March, 1801 - - -	368,013

In

In conſequence of large payments on account of India and China, and of the intention of liquidating the whole of the debts due to the Bank, reckoning only on the produce of the ſales, on a receipt from Government in part of claims, and on the ſale of the Loyalty Loan.

DEBTS AT HOME.

On the 1ſt of March, 1799		£. 7,103,762
On the 1ſt of March, 1800		5,830,222
		1,273,540

ASSETS AT HOME AND AFLOAT.

On the 1ſt of March, 1799		17,119,628
On the 1ſt of March, 1800		16,185,950
Decreaſe		933,678
Deducting the increaſe of aſſets from the decreaſe of the debts, the ſtate of the affairs at home, is better to the amount of		339,862

CHINA AND ST. HELENA.

Balance at China laſt year againſt	1,073,607	
Ditto by preſent accounts ditto	220,022	
Better this year at China		853,585
Balance at St. Helena on the 30th September, 1797, as ſtated laſt year	54,248	
Ditto on 30th September, 1798, by preſent accounts	62,235	
Increaſe at St. Helena		7,987
Total improvement at St. Helena and China		861,572

GENERAL COMPARISON OF DEBTS AND ASSETS.

Increaſe of Debts in India		1,962,881
Decreaſe of Debts at home		1,273,540
Net Increaſe of Debts		689,341
Increaſe of Aſſets in India	336,204	
Decreaſe of Aſſets at home	933,678	
Decreaſe	597,474	
Deducted from Balance at China, which was better by	853,585	
Ditto St. Helena, ditto	7,987	
	161,572	
Net Increaſe of Aſſets		264,098

Deducted

Deducted from the above Increaſe of Debts ſhews the ſtate of the Company's Affairs in a worſe point of view than in laſt year by - - - -	£.425,243
To which add, the Amount of Cargoes to India included in the home Aſſets arrived in India, ſo as to be included in the Stock there - - -	202,450
The Total -	627,693

is the amount in which the general ſtate of the Company's concerns is worſe than by the ſtatement of the laſt year.

Mr. *Huſſey* inſiſted that this ſtatement was not correct; for that notwithſtanding all the blandiſhments which were endeavoured to be thrown over this ſubject, it appeared to him moſt clearly, that the India Company, inſtead of being ſo very flouriſhing as the right hon. Secretary had repreſented them, were in fact ſix millions *minus*.—Adjourned.

HOUSE OF LORDS.

THURSDAY, JULY 24.

Lord *Grenville* took notice of the complaint that had been made the preceding day at the bar by Mr. Garrow, and moved, that to give any report of the debates in that Houſe, was a high breach of the privileges of Parliament. He next moved that the printer and publiſher of a morning paper do attend the Houſe on Monday next.

LONDON FLOUR COMPANY BILL.

The Earl of *Liverpool* roſe, he ſaid, to move two or three clauſes with a view to ſatisfy the minds, and quiet the apprehenſions of thoſe who ſeemed to be alarmed at the idea of the Company having ſo long a term of duration before they could be diſſoved as ten years; the firſt clauſe therefore that he ſhould move, was a clauſe to enable his Majeſty, with the advice of his Privy Council, to diſſolve the ſaid company at ſix months notice, whenever it ſhould be made appear to him that they had abuſed their powers, or been guilty of practices injurious to the public; and to make room for the clauſe, he would previouſly move to leave out all the words of limitation, and inſert the clauſe he had drawn in the place of them. Agreed to.

The next clauſe his Lordſhip ſaid, he ſhould move, went to put an end to the jealouſy ſtated to prevail leſt the Company ſhould become corn merchants and corn importers, which they themſelves profeſſed to have no intention or inclination

nation of doing, and which indeed the very words of the bill would be found not to warrant. As, however, it muſt be thought right that the Company ſhould have a power to ſell their damaged wheat, or wheat under particular circumſtances, in the clauſe that he was about to move, the Company were reſtricted from ſelling more than one thouſand quarters in any one week. His Lordſhip moved a clauſe to this effect, which was alſo agreed to.

The third clauſe, which he meant to introduce, was to gratify the wiſhes of the bakers reſpecting the ſtandard wheaten bread. His Lordſhip ſaid it was a ſingular circumſtance that it was aſſerted, that ſuch bread was not ſuited to the taſte of this vaſt metropolis, though ſpeaking with reſpect to the common people, it was fitted for individuals from all the different provinces and counties in the kingdom, in many of which no other than houſehold bread was ever taſted. Yet theſe very individuals, if the fact were true as aſſerted, changed their taſte on coming to town, and nothing, forſooth, but white fine bread could be reliſhed by them, though, according to the opinion of many judges, it was a worſe and leſs wholeſome bread than the brown bread. His Lordſhip ſaid, however, as the aſſize of bread ſtood at preſent, the ſtandard wheaten bread could not be made by the common baker, and therefore the baker apprehended that the ſale of brown bread near their ſhops would leſſen their cuſtom, as it would be ſubſtituted in lieu of their fine bread. He owned he thought there was ſome weight in this apprehenſion, though the effect of it would be trifling indeed, as he had ſeen from a variety of calculations upon the ſubject; he would however move a clauſe enabling the bakers to make the ſtandard wheaten or houſehold bread in the ſame manner as the Company were authoriſed to do by the bill; by enabling the magiſtrates to ſet an adequate aſſize thereon, this would add to the competition, and at the ſame time that the encreaſed conſumption of the houſehold bread would leſſen the conſumption of the fine bread, as it would go farther; ſo would it in a certain proportion diminiſh the neceſſity for ſo large an importation of foreign wheat, which certainly was an object extremely deſirable. Having thus explained the object of the clauſe, his Lordſhip moved it, and it was agreed to.

Lord *Hobart* then roſe and ſaid, that he truſted that the Houſe would give him credit, when he aſſured them that it was with extreme pain, that he felt it his duty to oppoſe any bill,

bill, or other measure, which was honoured with the sanction and support of the noble Lords who had interested themselves so warmly in favour of the present bill. In consequence of the clauses that had been moved that day, he owned some of the objections that he had felt against the bill were done away. Perhaps those interested would have rather had a more limitted restriction laid upon the company in respect to selling wheat; but he did not himself think that the sale of fifty thousand quarters of wheat in a year would be much felt by the corn merchants, as affecting their trade or the price of the markets. He therefore concurred in all the clauses that the noble Lord had moved.

The Duke of *Clarence* said, that, like the noble Lord, a great deal of the objection he had to the bill was instantly removed by the noble Earl's clauses; still, however, he could not approve of the principle of the bill, which in his opinion was wrong, and so he must continue to consider it. At the same time he was ready to assent to the clauses that had been moved, as they provided checks and guards, as far as they went, against abuse.

The Earl of *Westmoreland* said, after the bill had been so fully debated and argued both at the bar and in the House, he did not mean to trouble their Lordships with going into any detail upon it; he must, however, be permitted to make one or two observations. The first was, that he should have liked the bill better, if it had proceeded in the usual way, to enable his Majesty to grant his royal charter to the Company, if there was to be a corporate Company at all; because in that case it would necessarily have subjected the whole of the project to the consideration of the law officers of the crown, and made them responsible, if the charter passed the great seal. He owned, nevertheless, that the clause authorizing his Majesty, with the advice of his privy council, to dissolve the company at any time at fix months notice, upon any proof of mal-practices or abuse of their powers, which he understood had been moved and agreed to before he entered the House, did in some measure cure the objection. The next observation he wished to offer was, that if trade was to be interfered with at all, he had much rather have seen it placed in the hands of his Majesty's Ministers, who were responsible persons, than in a private company, let their intentions be ever so patriotic, ever so upright. With respect to the clause that his noble Friend had moved, to allow the Company to sell fifty thousand quarters a year, he certainly

thought it was right and neceſſary to allow the Company to ſell their damaged wheat, as well as ſuch wheat as they might apprehend was in danger of being damaged, becauſe much diſadvantage might reſult to the public, from the Companys' not being allowed to diſpoſe of ſuch wheat as if it were really damaged, but whether 50,000 quarters was not too great a latitude he could not ſay. His Lordſhip therefore concurred in the ſeveral clauſes of his noble Friend.

The Earl of *Liverpool* ſaid, he wiſhed to ſay but a very few words, and firſt, he declared, that after the fulleſt conſideration of the bill in every point of view, he was ſatisfied that the principle was right, and he truſted, that under the proviſions of the bill, and the clauſes that he had moved, not only that all alarm and apprehenſion of danger from it would be ſet at reſt, but that the effect of the meaſure would be found to be what the gentlemen who had projected it, ſincerely meant it to be, of great uſe and advantage to the public. He would therefore move that the bill be read a third time.

The bill was read a third time and paſſed, and was ordered to be ſent down to the Commons with the amendments.

The bills on the table were read a ſtage each. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 24.

A meſſage was received from the Lords, ſtating, that their Lordſhips had agreed to the Land Tax Amendment Bill; the Official Papers Printers Indemnity Bill; the Inſane Treaſon Bill; and to the amendments in the Hampſhire New-Foreſt Bill.

The report of the Committee on the India Budget was brought up, and agreed to.

The Exchequer Bills Bill, and the Surinam Indemnity Bill were reported, and ordered to be read a third time the next day.

SUBSIDIES.

On the order of the day being read for the third reading of the Imperial Loan Bill,

Mr. *Tierney* roſe. He ſaid, he had given notice on a former day of his intention to offer an amendment to this bill, and he ſhould that evening have the honour of ſubmitting to the Houſe a motion for the inſertion of certain words in one of the clauſes

clauſes. The purpoſe of his amendment was, to provide that no money ſhould be ſent to the Emperor from and after his ſigning a ſeparate peace with France, and he even expected that he ſhould meet with the ſupport of his Majeſty's miniſters on the occaſion. By the treaty it was, indeed, ſuppoſed, that *poſſibly* the Emperor would make a ſeparate peace, for one of the proviſions ſought to prevent that Prince from ſo doing. When he took the liberty the other evening of aſking whether the armiſtice was ratified, he received no anſwer, though the ſituation of affairs on the Continent naturally led men to look for ſuch an event; and for his own part, he had not the ſmalleſt doubt but that either the Emperor had agreed to an armiſtice, or would be ſpeedily forced to accede to one. Even in the event of an armiſtice, it would be proper to guard againſt the money of this country being ſent to that Prince, becauſe an armiſtice may juſtly be regarded, in the preſent ſtate of his armies, as the prelude of peace. If he treats he is no longer in a condition to act as an ally in a vigorous hoſtility; if he ratifies an armiſtice, he likewiſe ceaſes to be in a condition to co-operate with effect. There were but two months remaining of the ſeaſon of war, and this ſpace might, for any thing the Houſe knew, be occupied in attempts to negociate; ſo that in every way of viewing the queſtion, no very ſignal aſſiſtance was to be expected from Auſtria. But even admitting, for the ſake of argument, that it is neceſſary to the carrying on the war with vigour that we ſhould ſend the Emperor 1,520,000l. or 2,000,000l. or that, in order to his negociating with more advantage, it would be politic in us to give him that ſum, it could not be the leſs wiſe and politic to adopt ſuch a motion as it was his intention preſently to ſubmit to the Houſe. His motion would be in the form of an amendment, and would merely propoſe to provide that no money ſhould be ſent to the Emperor from and after his ſigning a treaty for a ſeparate peace with the French Republic. It would not ſurely be thought too much to ſeek to obviate, as much as poſſible, the evil conſequences to this country of ſuch a peace; and it would be averting a very great miſchief to prevent the gold of England from being ſent to a power that in all paſt tranſactions appeared ſo little to regard the conditions of her money engagements. Auſtria treated once before for a ſeparate peace, and treachery, or neceſſity, might cauſe her taking a ſimilar courſe again. The ſeveral loans for which ſhe contracted with this country, and for which the faith of England was

pledged, had been left wholly unprovided for by the Emperor; not even the intereſt was paid; and, judging of her whole conduct, it did not appear very probable that ſhe would ever pay the principal. He underſtood that the repayment of the 1,600,000l. laſt ſent to the Emperor never was at all provided for; what good reaſon was there then for reliance on that power in any money-contract? The manner in which the treaty on the table was negociated—the time when it was ſigned—the circumſtances which marked the whole tranſaction, were ſuch as to raiſe very natural jealouſies reſpecting the views of the Emperor. It was on the 20th of June laſt that the treaty was ſigned at Vienna, a period when the affairs of that Prince were gloomy and inauſpicious, and when he might have been forced to accept of a loan on which perhaps the ſafety of his capital was in no long period to depend. Under all theſe circumſtances, therefore, he could not believe that his motion would meet with oppoſition. He now moved, by way of an amendment to the appropriation clauſe, that the words, "provided always that no ſum or ſums of money ſhall or may be ſent to the Emperor, by way of loan or advance, from and after the date of his ſigning a ſeparate peace with the Republic of France," ſhould be inſerted after the word Emperor.

Mr. *Dundas* objected to the motion. He began by ſtating, that however loud and vehement Gentlemen on the other ſide might be in their aſſertion of the want of faith or inefficacy of our allies, he would fearleſsly ſtate the propoſition, and pledge himſelf to maintain it, that the country derived eſſential and great advantage from its alliances. With reſpect to the queſtion immediately in diſcuſſion, the Houſe had recognized the treaty, and it would ſoon arrive in the capital of Auſtria ratified by the King of Great Britain. Nothing could be more unjuſt towards the Emperor, nothing more diſreſpectful to Parliament, than to attempt, at the preſent moment, to obſtruct the final ratification of a treaty originating in principles of good faith, founded on ſentiments of mutual friendſhip, and having for its object the common ſecurity and defence of England, and the ſafety of Germany, and even Europe. In point of truth, the Houſe could not, conſiſtently with its ſucceſſive votes, by which its confidence in his Majeſty's Miniſters was perpetuated and confirmed, adopt the motion of the hon. Gentleman. For, what was it the motion ſought to do? Why, to make the Houſe withdraw its confidence from Miniſters. Now whether

whether Miniſters acted wiſely or unwiſely, like prudent men and good politicians, or the contrary, formed no part of the preſent queſtion; the ſingle point involved was, would the Houſe interfere with the Executive Government in the appropriation of money voted for the purpoſe of carrying on the war? He could not permit himſelf to think ſo meanly for one moment of the underſtanding of Gentlemen, as to ſuppoſe that they would, without deliberation or debate, take ſuch a courſe. Unqueſtionably the Government was liable to the controul of Parliament, and if Miniſters abuſed the confidence of that Houſe, if they miſapplied the public money, the hon. Gentleman might come to Parliament, and complain of their miſconduct. He owned it was natural for the hon. Member, thinking as he did that his Majeſty's Miniſters never acted right, to propoſe the preſent motion; but it was not to that hon. Gentleman he made his appeal, it was to the Houſe of Commons he ſubmitted his opinions; and in addreſſing himſelf to thoſe who judged free from feelings of party, he had no heſitation in ſubmitting, whether it was not more becoming the wiſdom and juſtice, and policy of Parliament, to leave ſuch matters as that of ſubſidies to allies rather to the direction of the Executive Government, than to the fluctuations and perils of every guſt of alarm; to the agitations of jealouſy, the waverings of ſuſpicion, or the turbulence of party. If Government threw away the money of the country, it would be liable to a ſevere inveſtigation of its conduct, but in the mean time to fetter it by reſtraining enactments would indicate nothing of ſound policy, and would be as ill-timed as it was unneceſſary.

Mr. *Jones* could not hear it aſſerted that the country derived advantages from alliances, without diſſenting in his place from ſo extravagant a propoſition. The Emperor receives our money, and makes peace when he can with France. He did ſo in 1798, and what ſecurity was there againſt his doing ſo at preſent? The preſent loan might enable the Emperor to pay a temporary ranſom for Vienna; but he really believed that what he predicted when he lately quoted the lines of Juvenal, would ſhortly come to paſs; namely, that the French would purſue their victories into the heart of that capital. The people of England had the patience of Job to bear from day to day the privations and the horrors of a *bellum internecinum*; but who could be certain that they would bear theſe things long? In the words of Dr. Johnſon, one ſaw nothing in our day but the palaces of contractors, loan-

buyers,

buyers, &c. riſing up like exhalations; while the middle man, that ſtaple ſupport of England, was reduced and broken down. Hoſpitality, old Engliſh hoſpitality, was no longer practiſed, becauſe the poverty of the people and the burthens of the war had either deadened every generous paſſion, or diverted from its proper channels the wealth of the country. He muſt talk thus, for he felt ſtrongly the neceſſity of preſſing upon that Houſe to conſider the actual ſtate of the country. What had we to do with continental connections?—As to his motives perſonally, he hoped he ſhould be believed when he ſtated them to be thoſe of a man who heartily wiſhed to ſee his country great and happy; and in all he did or ſaid, had ever conſidered that *magna eſt veritas et prevalebit*. If peace ſhould not be made in the mean time, he pledged himſelf to move an addreſs to his Majeſty, early next ſeſſion, on the alarming ſtate of the country. He declared himſelf in favour of the motion.

Col. *Elford* oppoſed it. If the people wiſhed for peace, or were not ſatisfied with their condition, they might petition Parliament: and their not doing ſo was to him a proof of the people being cordially attached to their Government.

Mr. *Martin* ſaid that there were laws to exclude the people from making their complaints known to Parliament. He heartily approved of the motion. His Majeſty's Miniſters and thoſe who ſupported them, either owing to blindneſs or obſtinacy, withheld peace from the country.

Sir *Gilbert Heathcote* oppoſed the motion. Miniſters were reſponſible for their conduct, and if it ſhould appear that they miſapplied the preſent ſubſidy, the Houſe could inſtitute an enquiry, and thus do full juſtice to itſelf and the country.

The *Attorney General* denied that the people were prevented by any exiſting laws from petitioning the Legiſlature. It was unparliamentary to uſe ſuch language. Gentlemen were diſpoſed to uſe ſtrong language in talking of his Majeſty's Miniſters, but always felt very ſore when talked of themſelves. A ſingle word miſplaced, if not perfectly underſtood on the other ſide of the Houſe, arouſed all the feelings of party, a virulent ſpirit was inſtantly diſcloſed; to ſay that the clear-ſighted pliant Gentlemen of Oppoſition were blind and obſtinate, would be treaſon. The motion of the honourable Member appeared to him extremely objectionable. It conveyed in guarded terms a libel on the Miniſters and the allies of his Majeſty. The language in which it was expreſſed

preſſed was indeed moſt offenſive. The Houſe could not, without injuſtice, adopt ſuch a motion, becauſe it went to record in a law of Parliament, that the Commons of Great-Britain have no confidence in an ally, and would hold in their own hands a reſerve, in the exertion of which they might violate the faith of treaties.

Mr. *Martin* roſe with ſome warmth. He ſaid, that if he uſed language that was unparliamentary, the learned Gentleman might move to have his words taken down,—he would live and die by them.

Mr. *Tierney*, in explanation, contended that he had a right to ſuppoſe a breach of good faith on the part of a power that had ſo often violated its moſt ſolemn engagements.

The *Attorney General* explained.

Mr. *Robſon* ſupported the motion.

The queſtion being put, the Houſe divided,

Ayes - - - -	4
Noes - - - -	38
Majority -	34

FINANCE.

The debate on Mr. *Tierney*'s reſolutions, and the conſideration of certain reſolutions on the ſame ſubject, moved this evening (in the abſence of the Chancellor of the Exchequer), by Mr. *Long*, were adjourned to Monday. The reſolutions are to be printed.

NEW HOUSE.

Lord *Hawkeſbury* moved an addreſs to his Majeſty, with the report of the Committee on the plan, &c. for enlarging the Houſe of Commons, and praying that his Majeſty would be graciouſly pleaſed to give directions for carrying the ſame into effect, and alſo aſſuring his Majeſty, that the Houſe would defray the expences, &c. Agreed to.

The other orders of the day were deferred. Adjourned.

HOUSE OF LORDS.

FRIDAY, JULY 25.

The bills on the table were read a ſtage each.

The Governor of Surinam's Indemnification Bill, the Exchequer Bills Bill, the Imperial Subſidy Bill, Conſolidated Fund Bill, and the Journeymen's Combination Bill, were brought

brought up from the Commons, preſented by Mr. Long, and others, and read a firſt time

Adjourned till the next day at half paſt three.

HOUSE OF COMMONS.

FRIDAY, JULY 25.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Flour and Bread Manufactory Incorporation Bill, with ſome amendments to which they begged the concurrence of the Houſe; and a ſecond meſſage, that their Lordſhips had agreed to the King's Property Bill, without any amendment.

The Bill for raiſing 3,000,000l. on Exchequer Bills, the Bill for raiſing other 3,000,000l. on Exchequer Bills, and the Bill for the further iſſue of 3,500,000l. to be raiſed in the ſame manner, were reſpectively read a third time and paſſed.

The Bill for Indemnifying the Governor of Surinam was read a third time and paſſed.

A motion was made, That the Committee appointed to conſider of Improving the Port of London have leave to report their opinion to the Houſe. Agreed to.

Lord *Hawkeſbury* then moved, That the Houſe do now take into conſideration the amendments made by the Lords in the Bill for Incorporating certain perſons to be called the London Company for Manufacturing of Flour, Meal, and Bread.

Mr. *Nicholls* objected to the precipitancy of the ſtep propoſed by the noble Lord. Some time, he ſaid, ſhould ſurely be given to conſider the nature of theſe amendments; and Monday next was as early a day as they could be diſcuſſed with propriety.

Lord *Hawkeſbury* ſaid, he was conſcious it was rather irregular to make that motion ſo ſoon after the meſſage had been received from the Lords. It had rather been his wiſh therefore that the diſcuſſion ſhould be deferred. But he underſtood that it would be more convenient for the oppoſers of the bill, that they ſhould have an opportunity of delivering their ſentiments that night, and he was confident there was nothing in the amendments that had not merely to be underſtood to be approved of.

The *Speaker* ſaid, he thought it right to obſerve, that for ſome years paſt it had been uſual to diſcourage as much as poſſible the practice of taking amendments made upon a bill,

bill by the Lords, into conſideration the ſame night on which they were communicated. There was no rule nor law, nor ſtanding order upon the ſubject, but this conduct was evidently ſanctioned by reaſon and productive of convenience. An opportunity was thus afforded to Members to reflect deliberately upon the alterations bills underwent in the other Houſe, and he himſelf had it in his power to aſcertain with accuracy whether they encroached upon the privileges of the Commons. The chief thing for deliberation in the preſent caſe was, when the amendments upon this bill were likely to be moſt fully conſidered. If the beſt opportunity of diſcuſſion would be afforded to day, he thought the Houſe ought to enter upon it then; if not, that they ſhould interpoſe ſome delay. They would be regulated by convenience.

Mr. *Baker* ſpoke a few words.

The *Maſter of the Rolls* ſaid he could ſee no objection to enter upon the conſideration of the amendments then, particularly as there was no neceſſity for deciding upon them, even in that caſe, till a future day. That deciſion was likely to be the more judicious, from the Houſe being previouſly maſter of their nature and tendency.

Mr. *Baker*, ſaid, he diſapproved of the principle of the bill, and wiſhed to ſee it thrown out. He intended to make a motion to that effect, but was not very ſure of the manner in which he ſhould proceed.

The *Speaker* ſaid, he believed he could ſatisfy the doubts of the honourable Member. When it was moved that the amendments be read a ſecond time, the honourable Member might move, that they be read a ſecond time this day three months.

The motion of Lord Hawkeſbury was then put and carried; and the amendments were read by the clerk. On the motion that they be now read a ſecond time.

Mr. *Baker* ſaid, he muſt object to this, as he highly diſapproved of the bill altogether: and as he was convinced that it could not be made expedient by theſe nor any other amendments which could poſſibly be deviſed. He allowed that it was now leſs objectionable than when it was ſent up to the Lords, but ſtill it ought by no means to be paſſed into a law. Mr. Baker then adverted to the probable operation of the propoſed amendments, and complained that the clauſe impowering the King to diſſolve the company whenever he

ſhall think fit, had been introduced without the privity of the proprietors, and might prove highly injurious to them. His fundamental objection to the bill was, that it went unneceſſarily to erect a dangerous corporation. That objection was not, and could not poſſibly be obviated; he therefore moved, That the word "now" be left out, for the purpoſe of inſerting in its ſtead, "this day three months."

Lord *Hawkeſbury* defended the amendments, and the principle of the bill. From the limitation impoſed upon the company, he ſaid, it was impoſſible that it ſhould ever deal in corn to any conſiderable extent. Had he thought of the method of limiting its duration adopted by the Lords, he certainly ſhould have propoſed it himſelf, as it was better to make its duration depend upon its good conduct, than to ſay, that at all events, it ſhall endure ten years, and no longer. The amendments were all conſiſtent with the principle of the bill, and as that had been already approved by the Houſe, he did not ſee why they ſhould not be immediately agreed to. He allowed that great delicacy was required in interfering with the corn laws; but the bill did not proceed upon ſpeculation and theory, the very ſame plan had been tried, and found to ſucceed beyond the moſt ſanguine expectations.

Mr. *Tierney* allowed with the noble Lord, that there was not a ſubject of greater delicacy than the ſale of flour and bread. From that conviction he ſaid he felt himſelf called upon to ſupport the motion of his honourable friend. He did not wiſh to ſee a meaſure of this nature paſs at the very end of the ſeſſion, when almoſt all the Members had left town from ſuppoſing there was nothing but routine buſineſs to be tranſacted. He never yet had heard a ſatisfactory anſwer to the queſtion he had often put, why was not this bill much earlier introduced? This very circumſtance was, of itſelf, ſufficient to ſhew that the bill ſhould not now paſs; but there were many other incontrovertible arguments againſt it. The meaſure was completely novel; and he defied the noble Lord, or any of his friends, to point out an inſtance in which acts of this kind were not to enable his Majeſty to grant a charter to thoſe who petitioned for it. This cuſtom was excellent, for then the claims of the petitioners were heard by the law officers of the Crown; and all who were intereſted had an opportunity of fully explaining and ſupporting their rights. Above all, his Majeſty's adviſers were reſponſible to Parliament for the counſel which they

they gave him. He hoped, therefore the Houſe would pauſe before they ſanctioned an innovation upon eſtabliſhed uſage, and an innovation ſo dangerous. He was glad to ſee the bill come back from the Lords, as he could not forget how indelicately this delicate meaſure had been carried. The majority in its favour conſiſted of four, and four were afterwards ſtruck off of thoſe who had voted for a particular clauſe in it, ſo that to ſuppoſe that it really was paſſed, it was neceſſary to ſuppoſe that a perſon was capable of voting for the whole of the bill who could not vote for part of its contents, a ſuppoſition which he could ſcarcely imagine to be juſt. Of the manner in which it had paſſed in the other Houſe it would be irregular in him to ſpeak, and he was bound to believe that it was carried by a vaſt majority. The reception it had met with in that Houſe, however, was enough to ſhew that it ſhould be dropped, and any other bill would have been dropped on that account. The noble Lord ſhakes his head, ſaid (Mr. Tierney,) but I defy him to point me out an inſtance to the contrary. It has ever been reckoned a point of candour not to puſh a meaſure which was ſo generally odious. The Lords have read us a leſſon of delicacy. The noble Lord carried up to their bar a bill, by which the Commons were made to ſay, that upon certain information which they had received of mal-practices among the millers and bakers, they were of opinion a Corporation ſhould be erected for the manufacturing of flour and bread, without check, reſtraint, or controul, and ſhould be continued, whatever its behaviour, for the ſpace of ten whole years. Their Lordſhips, however, are of a different opinion, and the Company they vote for eſtabliſhing may not laſt ten minutes. His Majeſty, with the advice of his Privy Council, may diſſolve them, without any proof of abuſe or miſconduct, or ill ſucceſs being laid before him. This power is unprecedented, and conſiſtently with cuſtom, and conſiſtently with reaſon, Parliament ſhould have been enabled to withdraw the charter when it ſhould ſeem good ſo to do, not the King in Council. Mr. Tierney here adverted to a ſtatute paſſed in the 6th of Geo. I. which enabled his Majeſty to grant a charter to an Inſurance Company, recognized the ſole right of granting charters to reſide in the Crown, and enacted, that this particular charter ſhould expire three years after the Speaker declaring the vote for terminating it, and poſting up a notice to this effect upon the Royal Exchange. How much dirt was the Houſe now drawn through? After

unwarrantably encroaching upon the prerogative of the Crown, their own privileges were invaded, and they were left without the leaſt controul over this Company, which they had ſacrificed ſo much to erect. He hoped the farther conſideration of this amendment would be deferred till this day three months. If it was not, he ſhould think himſelf bound to move an amendment upon that of the Lords, to reſtore to Parliament the power of which it was ſo unjuſtly deprived. The unfortunate men who were about to be ruined by the vote of theſe four philanthropiſts, would thus have an opportunity of ſhewing next ſeſſion of Parliament, the manner in which the bill affected them, and of obtaining redreſs for their grievances. The dignity of the Houſe was at ſtake, and they would not ſurely ſubmit to this robbery of their privileges, although indeed they deſerved it, from the theft which they themſelves had attempted.

He ſtill hoped, however, that the meaſure would be abandoned altogether. No ground whatever had been laid to ſhew the neceſſity for it, and he ſtill maintained that it was merely a ſpeculation of individuals. The names mentioned in the bill were highly reſpectable; he knew ſeveral of thoſe intereſted in it, and was ſure that they were actuated by the moſt laudable motives, and induced to make this experiment ſolely with a view to the good of the public. But there are many engaged in the buſineſs, ſaid he, whom I do not know, and I verily believe that a ſpirit of jobbing is at the bottom of it. What advantage could a jobber deſire which here he will not enjoy? He enters into the moſt dangerous ſpeculations, by which he may realize a fortune, and cannot loſe more than his original ſhare. In carrying on his individual trade, his opportunities of taking an unfair advantage muſt be incalculable. If he is a Manager of the Company, he will know exactly when its ſales are to take place, and when it is proper to purchaſe, and will enjoy many opportunities of forming a colluſion with its agents. Shall ſuch a ground for mal-practices be ſanctioned by this Houſe? Unleſs private dealers are ſtrictly precluded from entering the Company, it will be utterly impoſſible to prevent the groſſeſt abuſe. Monopolizing, ſpeculation, gambling, and corruption will be produced by that which was meant to produce abundance, and to promote the comfort and happineſs of the people.

Mr. Tierney then adverted to the evidence which had been laid before the two Select Committees in the early part of the ſeſſion. That though probably eſſential, had never been

been reported, and the meaſure ought by no means to be finally ſanctioned till it was regularly before the Houſe. Again, he ſhould like to know, why the limitation clauſe appeared neceſſary to the Lords? It would be irregular in him to ſay that their Lordſhips had paſſed it without reaſon, or to ſay that they were poſſeſſed of ſuperior intelligence. He was therefore bound to ſuppoſe that freſh evidence had been laid before them to which the Houſe was a ſtranger, and in that caſe it certainly would be proper to wait till by a meſſenger they had requeſted a copy of that evidence. The moment at which the bill was to be paſſed ſhould be maturely conſidered. The ſcarcity was ſevere. People were alive to every thing that was ſaid about corn, and the multitude liſtened with eagerneſs to every plan which promiſed to relieve their neceſſities. It was no wonder, therefore, that out of doors many approved of the bill, but it was *their* duty to think of its conſequences, and not to be led away by vulgar impreſſions. They ſhould pauſe before they irritated a large body of uſeful and reſpectable men, upon whom depends the ſuſtenance of the metropolis. They ſhould recollect that the market was falling, and that the millers muſt work with great diſadvantage. Upon a moderate calculation three weeks muſt intervene between the time when wheat is bought and it can be ſold again as flour. The only thing that induces them to carry on this loſing trade is the hope of better times; but would they continue thus to work at a loſs, when they were to be deprived of a great part of their indemnification? Was this the way to feed the poor, and to leſſen the ſcarcity of the metropolis? The millers had been accuſed of uſing inflammatory language. He had read the moſt of their publications, but could find no ſentiment or expreſſion in any of them which deſerved the epithet of inflammatory. They ſpoke with warmth to be ſure; but who could be cool when he believed that his rights were about to be violated, and unmerited ruin was impending? Mr. Tierney continued for ſome time in a ſtrain of panegyric upon the millers, and in pointing out the injuries they would ſuſtain. It was not the oppoſers of the bill, however, he continued, whom he pitied the moſt. The greateſt ſufferers would be the little millers, thoſe who by induſtry and exertion were barely able to earn a ſubſiſtence. Upon theſe the ſupply of the metropolis in a conſiderable degree depended, and to theſe the bill would prove a death warrant. If the bill, though injurious to individuals, would be advantageous to the

the public, it ought, no doubt, to be paſſed; but the individual ſufferers ſhould be amply indemnified. If you take away from theſe men one eighth of their work, and make them no compenſation, you do them the greateſt injuſtice. When it was determined to eſtabliſh Wet Docks at Wapping, the watermen, lightermen, and wharfingers, were all provided for, who would otherwiſe have been thrown out of employment. What crime have theſe poor millers committed that they are not entitled to ſimilar indulgence. It is ſaid that this Company will counteract an unlawful combination which now exiſts among the millers. Of ſuch a combination no proof has been adduced; and will you upon hearſay damnify to ſuch an extent ſo numerous a claſs of the community? But is the tendency of the bill to deſtroy combination? Will it not, on the contrary, encourage and encreaſe it? May not the great millers conſpire with the heads of this new Company, and thoſe prove the only victims who were the check upon combination and monopoly? They would not be contented with ſuch a paltry gain as ten per cent! But they will diſregard their dividend, and only look to the encouragement and profits of their private trade. It is not at all improbable that they may become more formidable than ever. If the object of the bill had been to encourage monopoly, the wit of man could not have framed one better calculated to obtain it. For gentlemen to pretend that we had any ſecurity from the particular proviſions of the bill, was altogether abſurd. The principle of the bill is ſo bad that it admits of no modifications.

Mr. Tierney then proceeded to ſhew that the millers oppoſed the bill not from any dread of competition; they were willing, he ſaid, to enter into a fair competition: it already exiſted, but it would ceaſe upon the paſſing of this bill. The miller might ſay, "the ſubſiſtence of my family, my childrens' bread, my all is at ſtake. You can loſe at the very utmoſt but 1000l.; you therefore can engage in ſpeculations, and follow a courſe which for me to attempt would be the height of madneſs and injuſtice." Although the Company ſhould ſucceed, it would be no proof that any improper practices had formerly prevailed; but would merely ſhew that a joint ſtock company can trade to greater advantage than any individual. He then reverted to his argument about the unconſtitutional manner in which this charter is to be obtained. Why did they not apply to the Attorney and Solicitor General, if they were conſcious that their claims were juſt? The mode

of

of their procedure was a confeſſion of the contrary. He did not object to the amount of their ſtock; he did not preclude them from having a capital of 500,000l. inſtead of 150,000l. but he objected to their procuring their charter unconſtitutionally, unfairly, and by ſtealth. To gratify theſe individuals, the Legiſlature was about to ruin a meritorious ſet of men, and to eſtabliſh a monopoly till it ſhall ſeem good to the Privy Council to aboliſh it. He did not mean to throw blame upon thoſe who more immediately adviſe his Majeſty, or to talk diſreſpectfully of them; but it ought not to be forgotten, that a noble Lord, whoſe opinion in theſe matters has very great weight, has repeatedly declared that the bill appeared to him moſt expedient and unexceptionable. Yet the opinion of this council, thus influenced, was the only ſecurity the country would have againſt inveterate abuſe.

Upon theſe grounds he truſted the Houſe would pauſe and forbear, from delicacy, prudence, and every good principle, from proceeding farther with the bill in the preſent ſeſſion. He hoped they would afford the advocates for the bill an opportunity of making good their charges againſt thoſe whoſe ruin they ſeek, and the proof of whoſe groſs miſconduct can alone give a colour of plauſibility to the meaſure. Mr. Tierney then took a more particular view of the amendments, and ſhewed that they themſelves ſtood in need of amendment. He more particularly diſapproved of the clauſe which empowers the Company to ſell 50,000 ſacks of flour per annum. In times of plenty, he ſaid, when great quantities of flour were ſent to London from a diſtance, they would thus have it in their power to buy up one-fifth of the little wheat which is then in the market, and not leſs than one half of the whole when the quantity was conſidered that they were allowed to manufacture into bread. Yet this bill was profeſſedly intended to diſcourage combination! The clauſe with regard to the aſſize of bread could not paſs as it now ſtood. He was ſure that the Court of Aldermen would not ſubmit to the taſk which it impoſed upon them. Delay was neceſſary, that that and other parts of the bill might be reviſed and corrected. As he diſapproved of the bill *in toto*, he could give his opinion as well now as afterwards, but for the ſake of others who thought otherwiſe, the conſideration of the amendment ſhould certainly be deferred. No harm could poſſibly reſult from delay, and if the plan was good, it might be adopted with equal advantage at a ſubſequent period. By the bleſſing of God, we had the agreeable proſpect

of

of an early and abundant harveſt; ſcarcity would probably ſoon diſappear, and we would be regularly ſupplied by the millers, as heretofore, with the greateſt abundance. What reaſon could poſſibly be urged for hurry and precipitancy? Did not this eagerneſs to get the bill paſſed betray a conſciouſneſs that it would not ſtand cool and diſpaſſionate examination? Did it not betray a wiſh to betray the Legiſlature into an act which they are likely afterwards to repent. The promoters of the bill were conſcious that in the courſe of the ſummer their aſſertions would be proved to be falſe, and their reaſonings fallacious. He ſhould be ſorry to embarraſs public buſineſs, or to occaſion the leaſt inconvenience to his Majeſty's Miniſters, but he was confident he ſhould do neither, by giving his vote, as he now did for the motion of his hon. Friend, "That theſe amendments be read a ſecond time this day three months."

The *Attorney General* ſaid that, in conſequence of what had fallen from the hon. Gentleman who ſpoke laſt, he thought it neceſſary to ſay a few words. He then ſtated the circumſtances relative to an application to the Attorney and Solicitor General, when Lord Eldon filled the office he now did, and he was Solicitor General, and ſaid their opinion was that, in that caſe, the parties had no occaſion whatever to apply to Parliament. As to the clauſe empowering his Majeſty to annul this corporation on ſix months notice, he conceived that nothing in that way would ever be done without the advice of the Privy Council, and an examination of all parties concerned on oath.

Mr. *Tierney* ſaid, that it was clear by 6 Geo. I. c. xviii. to which he had before alluded, from the whole of the preamble, that Parliament agree that the ſole privilege of granting charters is veſted in his Majeſty. In all charters granted by the crown, it has a right to correct its own act; but in this caſe Parliament is denied the power of correcting their act.

The *Attorney General* explained.

Mr. *Tierney* did the ſame.

Mr. *Roſe* begged leave to offer a few obſervations on the ſubject. He ſaid the hon. Gentleman complained of the late period of the ſeſſion in which the bill was brought in. He requeſted the Houſe to recollect that very early in the ſeſſion two bills were introduced, the one for the regulation of millers and mills, the other for the aſſize of bread. From the evidence produced before the Committees on thoſe bills, many gentlemen were convinced of the propriety of the preſent

ſent bill; and, as to his own part, it was that which had determined him to ſupport it. The hon. Gentleman had ſaid this bill was unprecedented, whereas he could produce two inſtances which were ſimilar, viz. the Incorporation Plate Glaſs Company which was eſtabliſhed by 13th of the King, and, by 29th of the King, the eſtabliſhment of the Northumberland Fiſhery. The hon. Gentleman had aſked, "Would you have a joint-ſtock Company?" He anſwered No; not without reſtriction. But this corporation were annually to lay before Parliament an account of all their purchaſes, and Parliament has a power to repeal the act granting the charter whenever they think proper. The Albion Mills, he ſaid, ground nearly the ſame quantity the preſent corporation is authorized to do. No man, he proteſted, would feel more regret than himſelf at the injury of any ſingle individual, but he was convinced this bill would ultimately turn out to be of great advantage to the public. As ſuch, and as ſuch only, he had offered originally to become a ſubſcriber. It was the practice of the Albion Mills, he ſaid, to purchaſe the greateſt part of their wheat at a diſtance from the metropolis—this corporation would do the ſame, and he denied the poſition of the hon. Gentleman as to the little millers being ruined, for he inſiſted if any were injured, it would be the great ones. The hon. Gentleman had talked of the bill being carried in that Houſe by an intereſted majority—this he denied—there was one hon. Member, not now in his place, who had from the firſt been one of the moſt violent oppoſers of the bill, and who voted againſt it, who was actually more intereſted in it than any other perſon; for he had declared that he had a ſet of mills which would be entirely ruined by it. He denied that the bill had been introduced at a late period of the ſeſſion; expreſſed himſelf fully ſenſible of the great advantages that would flow from it; and ſhould therefore, he ſaid, ſupport the paſſing of it to the utmoſt of his power.

Mr. *Tierney*, in explanation, ſaid, that the Incorporating Plate Glaſs Company was a thing that was much wanted, and in its inſtitution could injure no one whatever, which made it differ in every eſſential point with the preſent bill, which he contended would be highly injurious and deſtructive to one of the moſt uſeful claſſes of ſociety in this country, the ſmall millers.

The *Lord Mayor* of London ſaid that it was a moſt material point to the Houſe to know that a bill of ſuch enormous importance ſhould at leaſt be practicable. He had taken

conſiderable pains in his official capacity to examine the bill in all its bearings, and he had no heſitation in ſaying that it was as impracticable as he knew it to be unneceſſary. Of this he was fully convinced; but in the preſent ſtage of the bill, he ſhould confine himſelf to the new clauſes. With reſpect to the clauſe that was to leave to the magiſtrates of the City of London the power to ſet an aſſize on the ſtandard wheaten bread, which the new Company, as well as the other bakers, are now to make at their diſcretion, it was a power which they could not exerciſe. When they had that before, it was found to be moſt injurious to the metropolis. The magiſtrates were ſometimes apt to think that they underſtood the buſineſs better than the perſons who were engaged in it; and whenever they acted from this ſort of caprice, the public was ſure to ſuffer from it: the baker was made to ſuffer in the firſt place; the public was ſure to feel that every attempt to interfere with, or to change the courſe of the trade, prevented the uſual ſupply from coming to London. This was particularly felt in thoſe caſes, when the magiſtrates attempted to take from the bakers their fair profit, and for the ſake of a momentary popularity to ſet the aſſize of bread too low. He truſted then that the Houſe would not leave a matter ſo important to diſcretion, but that they would prepare, and put into the bill a table of aſſize.

But this was not all:—even if their powers could reach them, if their reſidence was in the City of London, they could do nothing if they had their reſidence in the Borough of Southwark, or in any part of the county of Surry, or in the city of Weſtminſter. Theſe diſtricts were under the cognizance and juriſdiction of other magiſtrates. The clauſe was therefore moſt irregularly drawn, and did not provide for its object.

And even if this new company was reſident in the city of London, he knew not, and he ſpoke in the preſence of a worthy Magiſtrate, his colleague, who concurred with him in the opinion, how the magiſtrates could ſubject them to the laws by which other bakers were bound and checked. Other bakers were bound to make a return upon oath of all the flour they bought, and the prices they paid for it. Here the bakers were the millers, and the act did not direct that any perſon ſhould return the flour and prices to the Lord Mayor. They could alſo ſearch the houſes of the common baker; they could fine him on the detection of his adulterating the bread, or for ſhort weight. How could they inflict penalties

penalties on this corporation? Could you put a corporation in the pillory if convicted of perjury? In ſhort, he knew of no means by which this corporation could be brought within the laws by which other millers and bakers were controuled, and by which the public was protected. If there were any means, he ſhould be glad to know them. At any rate it ſurely would be wiſe and prudent not to paſs a bill of ſuch magnitude, and inveſt a company with ſuch powers, in ſo haſty and precipitate a manner. He muſt ſay that he felt it to be his duty to vote for putting off the further conſideration of theſe clauſes.

Mr. *Brogden* put Mr. Roſe right with reſpect to the inſtance he had mentioned of Mr. Buſh. When the Albion Mill commenced, and he relinquiſhed the flour-trade, his ſon was an infant. He did not put him into the flour-trade till many years after the deſtruction of the Albion Mills.

The Houſe then divided, Ayes 18—Noes 34.

The clauſes were read a ſecond time.

Mr. *Tierney* then moved the amendments of which he had given notice. The firſt was, That it ſhould be left to the Houſe, by the notice of Mr. Speaker, to put an end to the charter at the end of ſix months, as it was done in the 6th of K. George I. This motion was negatived.

He then moved, That the corporation ſhould only have power to ſell 1000 quarters per week of *damaged* wheat. This alſo was refuſed.

He then moved, That the clauſe reſpecting the aſſize ſhould be regulated by a table, not left to the diſcretion of the magiſtrates—and this alſo was rejected.

The clauſes were then read a third time, and the bill ſent back to the Houſe of Lords.

A meſſage from the Lords informed the Houſe, that their Lordſhips had agreed to the Swediſh Herring Importation Bill.

The amendments made by the Lords in the High Treaſon Regulation Bill were read a firſt and ſecond time, and agreed to without any alteration.

The amendments made by the Lords in the Journeymen Workmens' Combination Bill were alſo read, and agreed to; after which the Houſe adjourned till Monday.

HOUSE OF LORDS.

SATURDAY, JULY 26.

The bill for granting a ſum of money to his Majeſty out of the Conſolidated Fund, and the Three Millions, bills were all read a ſecond time and a third time. The Workmens' Combination, the Governor of Surinam's Indemnity, and the Incloſure, Conſolidation bills, were forwarded in their reſpective ſtages.

Mr. Roſe brought up from the Commons the London Flour Company Bill, with their Lordſhips' amendments; agreed to;—as alſo the Swediſh Herring Bill; and the bill for ſettling diſputes between Maſters and Journeymen in the Corſon Manufactory.—Their Lordſhips then adjourned till Monday.

HOUSE OF LORDS.

MONDAY, JULY 28.

The Exchequer Bills bill and twenty-nine other public and five private bills received the royal aſſent by commiſſion.

A ſhort converſation took place in the Committee on the bill intitled, "An Act to Repeal an Act to Prevent unlawful Combinations of Workmen," between the Earl of Liverpool and the Lord Chancellor, after which the bill paſſed the Committee.

When the General Incloſure Bill was in a Committee the Lord Chancellor made ſeveral obſervations in proof of his former aſſertion, that it was extremely difficult ſo to frame any reſolutions on the ſubject which could be made the grounds of a General Incloſure bill, applicable to all caſes. His Lordſhip pointed out the utter impoſſibility of adapting a clauſe for making an affidavit of one perſon ſufficient evidence of allegations complicated in their nature, and which muſt reſt upon the proof of ſeveral different witneſſes, and the ſame difficulty preſented itſelf in reſpect to affidavits of conſent. He put the caſe of a ſeverance of a joint tenancy in common; ſuppoſe one of the joint tenants was an old man, on the verge of life, and inſane, and the other a very young man and a minor. In that caſe how could the old joint tenant give either his own conſent much more that of the minor? His Lordſhip ſaid, upon the whole, he thought

the

the ſubject had not been ſufficiently conſidered to paſs a general law, which if once paſſed muſt be acted upon, and therefore he moved that the order be diſcharged, and the bill be committed for that day three weeks.—Ordered.

Adjourned.

HOUSE OF COMMONS,

MONDAY, JULY 28.

The *Speaker* informed the Houſe, that the Royal Aſſent was notified by Commiſſion in the Houſe of Peers, to the Exchequer Bills Bill, to the Pawnbrokers' Regulation Bill, and to ſeveral other public and private acts.

Mr *Jones* obſerved, that it was now publicly known that a general armiſtice had been agreed on between the armies of his Imperial Majeſty and thoſe of the French Republic. Yet, no later than Thurſday laſt, two million ſterling had been voted to the Emperor, to enable him to proſecute the war; it was more likely that he was endeavouring to conclude a peace, than making any further exertions for the continuance of hoſtilities; what he therefore felt anxious to know was, whether it was likely this country would be included in the preliminaries?

The *Chancellor of the Exchequer* could not look upon ſuch a queſtion as a fair one to be aſked; nor did he deem it conſiſtent with the duty of his ſituation to anſwer it.

A meſſage from the Lords informed the Houſe that their Lordſhips had agreed to the Exchequer Bills bill, and to the Pawnbrokers' Regulation Bill.

The *Speaker* then took occaſion to apprize the Houſe of ſome irregularities which had occurred reſpecting the former bills. After they had been agreed to by the Lords, the uſual meſſengers came to acquaint the Houſe that their Lordſhips had agreed to them; but there being no Houſe till the Black Rod attended, it was neceſſary for the Speaker immediately to obey the ſummons; and to proceed to the Houſe of Peers to hear the commiſſion read. He was aware, from the manner in which theſe bills had been laid upon the table, that no amendments had been made to them by their Lordſhips; it was not, therefore, abſolutely neceſſary for the Houſe to reconſider them. Under theſe circumſtances, which ſtill, however gave his mind very conſiderable embarraſſment, he took the bills to the Houſe of Peers, knowing that they were to be included in the commiſſion, which he would

would not have done had he not been previouſly ſatisfied that no amendments had been made in them. He truſted the Houſe would not imagine that in purſuing that line of conduct, which he did merely to prevent embarraſſment of the the public buſineſs, he had diſregarded what belonged to the dignity of the Houſe. He had now only to ſuggeſt that it was material that the circumſtances attending this omiſſion ſhould be entered on the Journals, and he truſted the Houſe would acquieſce in the propriety of the ſuggeſtion.

FINANCE.

The order of the day being read for reſuming the debate upon the financial reſolutions lately laid before the Houſe,

Mr. Tierney roſe and ſaid, that as he intended on the preſent occaſion to follow the ſame courſe which he had adopted laſt year, when he moved a ſeries of ſimilar reſolutions, he would not now treſpaſs on the patience of the Houſe in obſerving at any length upon them. The difference between his ſtatement and that of the right honourable gentleman was not very material, and would be eaſily ſeen from a peruſal of the two ſtatements. The honourable gentleman concluded by moving his firſt reſolution, viz. That the amount of the public funded debt on the 1ſt of February, 1793, was 238,231,248l. excluſive of long and ſhort annuities, and annuities for lives; to the amount of 10,240,100l. of which ſums, &c. &c. &c.

The *Chancellor of the Exchequer* agreed with the honourable gentleman that the difference between their reſpective ſtatements ſcarcely amounted to any thing conſiderable; and that it principally aroſe from the different light in which they had viewed the ſubject. He was glad that there was no material difference between the ſums ſtated on either ſide, becauſe, any diſcuſſion on ſo dry and intricate a ſubject could not be very agreeable to the Houſe; nor did he feel any inclination to prolong it. As to the mode which he had adopted in bringing forward his ſtatement, he hoped it would be as ſatisfactory to the Houſe and to the country, as the ſtate of any country could be ſhewn to be that had been compelled to make ſuch extenſive and extraordinary exertions. In his ſtatement he compared the progreſs of the public burthens with the increaſe of the revenue and of the commerce of the country, and of the ſinking fund. The honourable gentleman only ſtated the expences of the year without the means provided to meet them, the means he had alſo ſtated; both nearly agreed in repreſenting the ſtate of the country,

and

and the total of the unfunded debt, and either resolutions contained a fair view of the burthens contracted during the war, and of what part remained unprovided for. From this statement it would however appear, that the sinking fund now formed an 1-82d part of the whole existing debt, while, at the conclusion of the war, it amounted to no more than 1-238th part of the then debt. Indeed, the topics of difference were so minute, that it was not necessary to dwell upon them. He would therefore content himself with moving the previous question on the resolutions of the honourable gentleman, which he thought a fairer way of proceeding than to propose amendments to them. He would then substitute his own in their stead. The previous question was then moved on each of Mr. Tierney's resolutions and agreed to; after which

The Chancellor of the Exchequer proceeded to move his own, which were severally put and agreed to—They are as follows:

I. That the amount of the public funded debt was, on the 5th of Jan. 1786, 238,231,248l. exclusive of long and short annuities, and annuities for lives, to the amount of 1,373,550l. That, on the 1st of Feb. 1792, stock to the amount of 10,242,100l. had been purchased by the commissioners for redeeming the national debt; and annuities to the amount of 79,880l. had fallen in, and had been carried to their account, reducing the actual amount of the debt on the 5th January 1793, to 227,988,148l. and the annuities to 1,293,670l. And that on the 1st of Feb. 1800, stock to the amount of 32,404,845l. had been purchased by the commissioners for redeeming the national debt; and annuities to the amount of 119,380l. had fallen in, and been carried to their account; reducing the actual amount of debt existing before the war, on the 1st of February 1800, to 205,826,403l. and the annuities to 1,255,670l.

II. That the amount of the public funded debt created since the 1st of February 1793, (including the amount to be created by sums borrowed in the present session of Parliament, and exclusive of 7,502,631l. three per cent. stock, and 230,000l. per ann. annuities, created by advances to the Emperor of Germany) was on the 1st of February 1800, 257,787,792l. exclusive of long annuities to the amount of 283,206l. per annum; of which 15,345,000l. is on account of Ireland, and 56,545,000l. is provided for by the tax on income, leaving a permanent debt of 186,047,792l. charged on Great Britain: And that on the 1st of February 1800, 12,328,449l. had been purchased by the commissioners for redeeming the national debt; reducing the said permanent debt created since the 1st of

January

January 1793, to 173,699,343l. exclusive of long annuities to the amount of 283,206l. per annum, after deducting the annuities payable by Ireland.

III. That the total amount of the permanent funded debt charged on Great Britain, after deducting the sum of 44,733,294l. redeemed by, and the annuities fallen in to, the commissioners, was, on the 1st of February, 1800, 379,525,000l. together with short annuities to the amount of 549,130l. and long annuities to the amount of 987,947l. after deducting the annuities provided for by Ireland.

IV. That the sum annually applicable to the reduction of the national debt, in pursuance of the act passed in 1786, was 1,000,000l. being about 1-138th part of the capital of the permanent debt then existing; and for 1793, was 1,427,243l. being about 1-160th part of the permanent debt existing in 1793, and may for the year 1800 be estimated at 4,710,000l. being about 1-82d part of the permanent debt existing in 1800.

V. That the annual charge incurred on account of the permanent debt, on the 5th of January 1786, was 9,297,000l. before any fund was created applicable to the reduction of the debt, and on the 5th of January 1793 was 10,325,000l. including 1,000,000l. applicable to the reduction of the debt.

VI. That the annual charge incurred on account of the permanent debt created since the 5th of January 1793 (including 314,000l. permanent interest and charge on loan of the present session) amounts to 8,582,491l. per annum, of which 6,684,469l. is for interest, annuity and charges of management, and 1,897,960l. applicable to the reduction of debt; and that a further charge of 426,735l. per annum is guaranteed by Parliament in default of payment of the interest of certain loans by his Majesty the Emperor of Germany.

VII. That the outstanding demands on the 5th of January 1793, amounted to 1,327,112l. and on the 5th of January 1800, to 2,890,791l. the whole of which have been provided for, part thereof in the former session of Parliament, and the remainder in the present session.

VIII. That the unfunded debt (exclusive of the anticipation in the usual form on certain duties annually voted) on the 5th of Jan. 1793, amounted to 8,925,421l.; and on the 5th of Jan. 1800, to 16,406,281l. of which 1,914,000l. was provided for in the present session of Parliament, leaving an unfunded debt of 12,492,281l. which increase of 3,566,860l. beyond the amount of the unfunded debt on the 5th of Jan. 1793, is occasioned chiefly from an addition of 1,000,000l. exchequer bills, and of extraordinary navy debt, arising from increased demands during the year, and not bearing no interest.

IX. That

IX. That the net produce of the permanent taxes existing on the 5th of Jan. 1784, then amounted to 10,194,259l. and that taxes were afterwards impoſed to defray the expences of the war ending in 1783, amounting, in 1786, to 938,000l. making together 11,132,000l.

X. That the net produce of the permanent taxes exiſting previous to the year 1784, adding thereto about 938,000l. impoſed, as above ſtated, in 1784 and 1785, and 137,000l. ariſing from the conſolidation act, and from duties impoſed in 1789, was, in the year ending the 5th of January, 1793, 14,284,000l.; on the 5th of January, 1794, 13,941,000l.; on the 5th of January, 1795, 13,858,000l.; on the 5th of January 1796, 13,557,000l.; on the 5th of January 1797, 14,292,000l.; on the 5th of January, 1798, 13,332,000l.; on the 5th of January, 1799, 14,275,000l.; and on the 5th of January, 1800, 15,432,254l. which laſt ſum, after deducting the duties ariſing from the conſolidation act, and thoſe impoſed in 1789, exceeds the net produce of the permanent taxes on the 5th of Jan. 1784, together with that of the taxes impoſed in 1784 and 1785, by 4,263,254l.

XI. That the actual net produce of the taxes impoſed ſince the 5th of January, 1793, amounted in the year ending the 5th of July, 1800, to 8,477,100l. and that on part of theſe taxes the produce of one year has not yet been received, and only 113,707l. of thoſe impoſed in the preſent year, eſtimated at 550,000l.

XII. That the total value of all imports into Great Britain, in the year ending the 5th of January, 1784, was 13,122,235l. and on an average of ſix years, ending the 5th of January, 1784, was 11,690,829l. That the total value of all imports into Great Britain, in the year ending the 5th of January, 1793, was 19,659,358l. and on an average of ſix years, ending the 5th of January 1793, was 18,685,390l. That the total value of all imports into Great Britain, in the year ending the 5th of January 1800, (ſuppoſing the imports from the Eaſt Indies, of which no account has yet been made up, to be the ſame as in the preceding year) was 29,945,808l. making an increaſe, as compared with 1783, of 16,823,573l. and with 1792, of 10,286,450l. and on an average of ſix years, ending the 5th of January 1800, was 24,407,000l. making an increaſe, as compared with the average to January 5th, 1784, of 12,717,000l. and with the average to January 5th, 1793, of 5,722,000l.

XIII. That the total value of Britiſh manufactures exported from Great Britain in the year ending the 5th of January, 1784, was 10,409,713l. and on an average of ſix years, ending 5th of January, 1784, was 8,616,660l. that the total value of Britiſh manufactures exported from Great Britain in the year ending the 5th of January, 1793, was 18,336,851l. and on an

average of ſix years, ending the 5th of January 1793, 14,771,049l. That the total value of Britiſh manufactures exported from Great Britain in the year ending the 5th of January, 1800, was 24,084,000l. making an increaſe, as compared with 1783, of 13,674,374l. and with 1792, of 5,748,000l. and on an average of ſix years, ending the 5th of Jan. 1800, was 18,804,000l. making an increaſe, as compared with the average to January 5th, 1784, of 10,188,000l. and with the average to January 5th, 1793, of 4,033,000l.

XIV. That the total amount of foreign merchandiſe exported from Great Britain, in the year ending the 5th of Jan. 1784, was 4,332,909l. and on an average of ſix years ending the 5th of January, 1784, was 4,263,930l. That the total value of foreign merchandiſe exported from Great Britain in the year ending the 5th of January, 1793, was 6,568,000l. and on an everage of ſix years ending the 5th of January, 1793, was 5,468,014l. That the total value of foreign merchandiſe exported from Great Britain in the year ending the 5th of Jan. 1800, was 11,206,000l. making an increaſe, as compared with 1783, of 7,574,000l. and with 1792, of 5,338,000l. And on an average of ſix years ending 5th of Jan. 1800, was 11,677,000l. making an increaſe, as compared with the average to January 5th, 1784, of 7,414,000l. and with the average to Jan. 5th, 1793, of 6,209,000l.

XV. That the total ſum to be raiſed in Great Britain in the year 1800 may be eſtimated as follows, viz.

Intereſt of public funded debt, charges of management, and ſinking fund, on the 5th of Jan. 1800, after deducting the intereſt payable by Ireland - - - £.	19,307,000
Intereſt, &c. to be incurred and paid between the 5th of January, 1800, and the 5th of January, 1801, on ſtock created by loans in the preſent ſeſſion to the amount of - -	962,000
Intereſt on exchequer bills, eſtimated to be the ſame as paid in the year to 5th January, 1800 -	1,021,626
The civil liſt - - -	898,000
Other charges on conſolidated fund, eſtimated to be the ſame as incurred in the year ending 5th of Jan. 1800 - - -	239,297
Civil government of Scotland, penſions on hereditary revenue, militia and deſerters warrants, and bounties for promoting fiſheries, linen manufactures, &c. eſtimated as before -	647,183

Charges

Charges of management of the revenue, eſtimated as before, including the expence of collecting the income tax - -	1,779,769	
Making the total permanent charges to be defrayed out of the groſs receipt of permanent revenue		24,854,875
Supplies voted for 1800, excluſive of 1,914,000l. to defray vote of credit, 1799 - -		35,686,552
		60,541,427
Advance to Ireland - -	2,000,000	
Vote of credit for probable contingencies -	1,400,000	
Intereſt payable for imperial loans - -	497,000	
		3,897,000
Making in the whole, the ſum of		£. 64,438,427

XVI. That the groſs receipt of the permanent revenue (after deducting repayments for over entries, drawbacks, and bounties in the nature of drawbacks, amounted in the year ending the 5th July, 1800, to - - - 28,238,000

That the tax on income is eſtimated to produce for the year 1800, a ſum of - - - 7,000,000

That the tax on imports and exports may be eſtimated to produce a ſum of - - - 1,250,000

That further ſums are applicable to the ſervice of the year 1800, as follows:

Surplus of conſolidated fund, after compleating grants to 5th April, 1800 - -	597,000
Repayments from Grenada, impreſts and lottery	826,000
And that the remainder of the ſupply for the year 1800, is provided for by a loan, on account of Great Britain, of	18,500,000
And a loan for Ireland, of - -	2,000,000
And by exchequer bills to be charged on ſupplies, 1801	3,000,000
And loan from the bank of - -	3,000,000
And expected additional produce of taxes, 1800	240,000
Making in the whole the ſum of -	64,651,000

XVII. That eſtimating the groſs receipt of the permanent revenue to continue the ſame as in the year ending the 5th July, 1800, and adding thereto the additional expected produce of the permanent taxes impoſed in this ſeſſion of parliament, the total amount to be raiſed by permanent and temporary taxes for the ſervice of the year 1800, may be computed at the ſum of 36,728,000l.

XVIII. That it appears by a report of a Committee of this Houſe in 1791, that the actual expenditure, including the annual

million for the reduction of the public debt) on an average of five years of peace, ending the 5th January, 1791, and including fundry extraordinary expences for the armament of 1787, and for payments to American loyalists, and other articles of a temporary nature, amounted to - - 16,816,985

But the peace eſtabliſhment was eſtimated by the ſaid Committee at - - - - 15,969,178

And that the expence of the year 1792, amounted nearly to that ſum,

That the additional permanent charge incurred by debt created ſince 1793, excluſive of intereſt payable by Ireland, is 8,582,395

That the additional charge to be incurred for increaſed amount of exchequer bills outſtanding, is - 55,000

Intereſt on money for ſatisfying encreaſed navy debt at 5 per cent, at - - - 150,000

That the additional charge incurred on the conſolidated fund is - - - 131,650

That the additional charge incurred for a ſum annually voted for the redemption of debt is - - 200,000

And that the future peace eſtabliſhment (excluſive of any charges to be incurred by intereſt on ſums to be paid on winding up the expences of the war, and of any augmentation which may take place in the naval or military eſtabliſhments, but allowing for encreaſe of pay and other expences 700,000

And alſo excluſive of 497,000l. intereſt on loans due by the Emperor of Germany, and guaranteed by Parliament), may be eſtimated at - - 25,783,213

XIX. That the produce of the tax on income in the year ending the 5th of April, 1800, appears to be - 5,801,624

Voluntary contribution - - 255,000

Exports and imports may be calculated at - 1,250,000

7,306,624

And that the produce of the permanent taxes impoſed previous to the 5th of January, 1793, has, in the year ending the 5th of July, 1800, exceeded by above 2,000,000l, the ſum eſtimated by the Committee in 1791, as neceſſary for the peace eſtabliſhment.

XX. That during the continuance of the tax on income, after the concluſion of the war, if the produce in future years ſhould amount to 7,000,000l. the total annual expenditure may be eſtimated at about 33,000,000l, including therein the ſaid ſum of 7,000,000l. applicable annually

annually (over and above all other ſums in the hands of the Commiſſioners) to the reduction of debt.

XXI. That the amount of three per cent. ſtock created in the year 1798, 1799, and 1800, and of which the intereſt is to be defrayed, and the principal to be redeemed by the tax on income, is 56,445,000l.

XXII. That ſuppoſing the war to end with the year 1800, the three per cent. ſtock to remain on an average, of three years after peace at 80l. and the tax on income to produce 7,000,000l. per annum, the capital ſtock of 56,445,000l. together with the intereſt payable thereon, would be redeemed in the year 1808.

The *Chancellor of the Exchequer* then moved an humble addreſs to his Majeſty, that he would be graciouſly pleaſed to give directions that the ſum of 1200l. be paid to Charles Bragge, Eſq. as Chairman of the Committee of Ways and Means, agreeably to the inſtructions of a Committee of the Houſe upon that ſubject, and aſſuring his Majeſty that this Houſe would make good the ſame.

Mr. *Tierney* ſaid, that it was invariably his opinion that liberal and adequate ſalaries ſhould be paid to all perſons employed by the public; but when he ſaw a ſalary thus ſuddenly encreaſed from five to twelve hundred per annum, where no previous ſervices could put in a claim, where no appearances were neceſſary to be made, and where no extraordinary expences were conſequently incurred, he could not help ſaying, that ſuch an encreaſe of ſalary for ſuch a ſituation was a ſhameful perverſion of the public money.

The *Chancellor of the Exchequer* enumerated the various and extended ſervices performed by Mr. Bragge, and obſerved, that when the ſalaries of the other officers of the Houſe had been encreaſed, it would have been highly unjuſt to overlook Mr. Bragge, of whoſe attention and diligence the Houſe had had ſuch frequent and convincing proofs.

On the motion of Mr. Pitt, ſimilar addreſſes were agreed to for granting the ſum of 1500l. to the Clerk Aſſiſtant of the Houſe, Jeremiah Dyſon, Eſq. 500l. to J. Clemenſon, Eſq. Deputy Serjeant; 1000l. to be paid to the Chairman of the Committee for examining into the ſtate of the public records of the kingdom, to be diſtributed by him to J. Planta, Eſq of the Britiſh Muſeum, to B. Richards, Eſq. and other gentlemen who have rendered ſpecial ſervice to that Committee in the proſecution of that labour. 1,500l. was alſo voted to defray the expences of printing the Journals of that Houſe. 300l. were voted to Mr. Dunn, to defray the expences of making a general index to the 45th volume, and the

the ſum of 250l. to Mr. Watham for an index to the votes of the Houſe. Adjourned.

HOUSE OF LORDS.

TUESDAY, JULY 29.

His Majeſty this day came down to the Houſe a little before four o'clock, and being in his royal robes ſeated on the throne with the uſual ſolemnity, Sir Francis *Molyneux*, Gentleman Uſher of the Black Rod, was ſent with a meſſage from his Majeſty to the Houſe of Commons, commanding their attendance in the Houſe of Peers. The right hon. the Speaker, accompanied by a number of Members, accordingly attended at the bar of the Houſe of Lords, and addreſſed his Majeſty as follows:—

"*Moſt Gracious Sovereign*,

"Your faithful Commons humbly attend your Majeſty with the bill, by which their grants are completed for the public ſervice of the year.

"In ſupplying the various demands of this important conjuncture, your Commons conceive that they have diſcharged an indiſpenſible duty to your Majeſty, and their Country, by manifeſting their unſhaken determination to combine the maintenance and ſupport of public credit, with ſuch ample means of exertion, as may beſt tend to bring the conteſt, in which we are engaged, to a juſt and honourable concluſion.

"To your Commons it has been highly gratifying to obſerve, that, amidſt the viciſſitudes and difficulties which have attended this arduous ſtruggle, the ſecurity of the Britiſh Empire has in many reſpects been materially ſtrengthened, its power conſolidated, and its reſources increaſed. The ſplendid and deciſive ſucceſs to which the late hoſtilities in India were conducted by the bleſſing of Providence upon the joint exertions of wiſdom and vigour in Council, and of ſkill and gallantry in the field, have neceſſarily led to new and extenſive regulations. The meaſure, which has been accordingly adopted, your Commons earneſtly hope will have the effect of affording to this Country all the advantages which can be derived from thoſe valuable poſſeſſions, and of inſuring to the native inhabitants the full benefit of Britiſh ſuperintendance and protection.

"But to no proceedings, by which their attention has been engaged, can your Commons recur with ſtronger ſentiments of ſatisfaction and confidence, than to thoſe which have contributed to the great and important arrangement by which your Majeſty's ſubjects in Great Britain and Ireland, will henceforth conſtitute one people, actuated by the ſame views, connected by the ſame intereſts, and governed by the ſame laws. In contemplating

templating this meaſure, and the proſpect which it happily preſents, your Commons cannot fail to be animated by a well-founded hope, the moſt congenial to your Majeſty's benevolent mind, that the united kingdom may ever preſent to the world the example of a free, and powerful people, deſirous and determined to employ their combined ſtrength and reſources for no other purpoſes than thoſe which are connected with their own honour and ſecurity, and to prove by the moderation and juſtice of their councils and conduct, that they are not altogether unworthy of the bleſſings they may enjoy.

His Majeſty then gave his Royal Aſſent to the bill for granting his Majeſty certain ſums out of the Conſolidated Fund, part of which were to be ſent to ſubſidize German powers; to the bill for repealing the Combination Act of laſt ſeſſion, and eſtabliſhing other regulations inſtead thereof; to the bill for permitting the importation of Swediſh Herrings, duty free; to the Surinam Indemnity Bill; and two private bills.

His Majeſty then cloſed the ſeſſion, with the following moſt gracious ſpeech from the throne:

"*My Lords and Gentlemen,*

"In putting an end to this laborious ſeſſion of Parliament, I muſt expreſs the juſt ſenſe I entertain of the diligence and perſeverance with which you have applied yourſelves to the various objects of public concern which came under your deliberation. It is with peculiar ſatisfaction I congratulate you on the ſucceſs of the ſteps which you have taken for effecting an entire Union between my Kingdoms of Great Britain and Ireland.

"This great meaſure, on which my wiſhes have been long earneſtly bent, I ſhall ever conſider as the happieſt event of my reign, being perſuaded that nothing could ſo effectually contribute to extend to my Iriſh ſubjects the full participation of the bleſſings derived from the Britiſh Conſtitution, and to eſtabliſh, on the moſt ſolid foundation, the ſtrength, proſperity, and power of the whole Empire.

"I have witneſſed with great concern the ſevere preſſure on my people, from the continued ſcarcity of the ſeaſon; but I truſt that, under the bleſſing of Providence, there is now every reaſon to expect that the approaching harveſt will afford a ſpeedy and effectual relief.

"*Gentlemen of the Houſe of Commons,*

"I return you my particular thanks for the zeal and liberality with which you have provided for the various exigencies of the public ſervice. I regret deeply the neceſſity of theſe repeated ſacrifices on the part of my ſubjects; But they have been requiſite for the preſervation of our deareſt

intereſts,

intereſts, and it is a great conſolation to obſerve, that, notwithſtanding the continuance of unuſual burthens, the revenue, commerce, and reſources of the country have flouriſhed beyond all former example, and are ſtill in a ſtate of progreſſive augmentation.

"*My Lords and Gentlemen,*

"The courſe of the campaign upon the Continent has, by a ſudden reverſe, diſappointed the ſanguine hopes which the ſituation of affairs at its commencement appeared fully to juſtify, and has unhappily again expoſed a conſiderable part of Europe to thoſe calamities and dangers, from which it had recently been reſcued by the brilliant ſucceſs of my allies.

"Much as theſe events are to be regretted, it will always be matter of juſt ſatisfaction to me to reflect that, in the courſe of this important conteſt, my efforts, and thoſe of my Parliament, have been unremittingly employed for the maintenance of our own rights and intereſts, and for animating and ſupporting the exertions of other powers in defending the liberties of Europe.

"Notwithſtanding the viciſſitudes of war, your conſtancy and firmneſs have been productive of the moſt important and laſting advantages in the general ſituation of affairs; and the determination manifeſted in your recent declarations and conduct, muſt afford me the beſt means of promoting, in conjunction with my allies, the general intereſts, and of providing under every circumſtance for the honour of my crown, for the happineſs of my ſubjects, and for the ſecurity and welfare of every part of the Britiſh Empire."

Then the Lord Chancellor, by his Majeſty's command, ſaid:

"*My Lords and Gentlemen,*

"It is his Majeſty's Royal will and pleaſure, that this Parliament be prorogued to Tueſday the 7th day of October next, to be then here holden; and this Parliament is accordingly prorogued to Tueſday the 7th day of October next.

HOUSE OF COMMONS.

TUESDAY, JULY 29.

The amendments made by the Lords, in the Sweſtish Herring Bill were read, agreed to, and the bill returned to the Lords.

Mr. *Roſe* preſented two public accounts—one, of the amount of the fees, &c. in the ſinecure offices, where the duty is performed by deputies—and the other, from the office

fice for accrediting the public accounts. Ordered to be laid on the table, and printed.

A new writ was ordered to be iſſued for the Borough of Taunton, in the room of Sir Benjamin Hammet, Knt. deceaſed.

The *Secretary at War* reported at the bar, that his Majeſty had been waited on with the ſeveral addreſſes of that Houſe, voted yeſterday, and that his Majeſty had been graciouſly pleaſed to give directions accordingly.

Mr. *Hoſkinſon* preſented at the bar, and account of the volunteer corps, cavalry and infantry, diſtinguiſhing the number of each. Ordered to be laid on the table.

INCLOSURE LANDS.

Mr. *Wilberforce* called the attention of the Houſe to the ſubject of the bill for incorporating into one act all the laws relative to incloſures. He underſtood, from report, that the proceedings on this bill, in another place, were the preceding day poſtponed for three months: in conſequence of which, the meaſure was of courſe loſt for the preſent: but feeling how neceſſary it was that ſuch a bill ſhould paſs in ſome effectual form, he roſe to give notice, that if the ſubject ſhould not get into abler hands, he would, early next ſeſſion, bring before the Houſe certain reſolutions concerning agriculture, having for their object a ſimilar public benefit to that which he ſincerely believed was intended by thoſe with whom that bill originated. The meaſure he ſhould propoſe, would embrace the ſuggeſtions of the grand jury for the County of York, whoſe recommendation, as well as his own ſenſe of the intrinſic importance of the ſubject, had led him, very much of late, to conſider, in all its various views, the ſtate of the agriculture of this country.

CORN.

Mr. Alderman *Curtis* gave notice, that he would early next ſeſſion, move for leave to bring in a bill, to explain and amend the Flour Company Bill, recently paſſed into a law. The principal alteration of this law, which the hon. Member intends to ſuggeſt, he ſtated to be, that of an enacting clauſe to oblige the proprietors to bring into the public market, every Monday morning, the ſurplus flour on hand, after the ſales of the preceding week. This would have the deſired effect of partially lowering the markets; and when he reflected how truly patriotic the ſubſcribers had acted throughout, he could

could not doubt but they would approve of ſuch a meaſure, to which he alſo hoped the Houſe would have no objection. Thus much he unfolded the object of his intended motion, in order that the gentlemen concerned in the company might be appriſed of the principal amendment which he ſhould have the honour next ſeſſion to propoſe.

PROROGATION.

About a quarter of an hour before four o'clock, Sir Francis Molyneux, Knt. Uſher of the Black Rod, entered the Houſe in the uſual form, and ſaid, "I am deſired by the King, to command this Houſe to attend his Majeſty, in the Houſe of Peers." Sir Francis having withdrawn, he was followed to the Houſe of Lords by the right hon. the Speaker, the Chancellor of the Exchequer, the Secretary at War, Mr. Long, and ſeveral other members.

The *Speaker* being returned from the Houſe of Peers, read the ſpeech of his Majeſty to the two Houſes of Parliament, when the ſeſſion cloſed of courſe by prorogation.

BILL FOR THE MORE EFFECTUAL PREVENTION OF THE CRIME OF ADULTERY.

Few of the topicks that came under the deliberation of Parliament in the courſe of the laſt Seſſion drew the attention of the Public more generally, or agitated the minds of men ſo much, as the diſcuſſion of the two Bills reſpecting Divorce and Adultery. In the Houſe of Lords the ſubject was cloſely debated on both ſides, though in the Houſe of Commons the *Adultery Bill* was thrown out on the ſecond reading, without being ſuffered to go to a Committee. One of the moſt formidable of its opponents in the Upper Houſe, was Lord MULGRAVE, and as notice has been been given in each Houſe of Parliament reſpectively, that the ſubject will, in ſome ſhape or other, be again brought under diſcuſſion next year, we cannot cloſe our laſt Volume of Reports for the paſt Seſſion, without laying before our Readers the arguments of Lord MULGRAVE againſt the Bills, which contain ſtrong reaſoning, and which have been publiſhed, by authority, under the title of

Subſtance of the Speeches of Lord MULGRAVE *in the Houſe of Lords, in Reply to the Speeches of Lord* AUCKLAND *and the Biſhop of* ROCHESTER *on the* Divorce Bill.

My Lords, Before I addreſs your Lordſhips in anſwer to the arguments urged in ſupport of the bill upon your table, I feel it incumbent upon me to take ſome notice of the general ſtyle and tenour of thoſe arguments, becauſe they ſeem to imply an impreſſion on the minds of the noble Lords who adopt them, that all thoſe who are adverſe to the proviſions of this bill muſt be protectors of vice and favourers of the crime of adultery. And although a noble Baron who brought forward the original bill, to the clauſes of which alone I object, has in terms admitted that "it would "ill become him to deny the ſame rectitude of intention to "the oppoſers as that which diſtinguiſhes the ſupporters of "the bill," yet even in the general tenour of *his* ſpeech, ſomewhat of the ſame impreſſion manifeſts itſelf: elſe wherefore thoſe trite and obvious cenſures of a crime, the immorality of which nobody palliates, the evil tendency of which nobody denies; wherefore that queſtion of aſtoniſhment, "How it can happen that a body of men ſo conſti-"tuted can exhibit a great ſchiſm and diverſity of opinions "reſpecting a queſtion dependant on the evident and immu-"table principles of juſtice, morality, and religion;" but becauſe the noble Baron cannot ſeparate a difference of opinion upon the wiſdom of his propoſed alteration of the law as it ſtands, and a difference upon the immutable principles

of morality and religion? Indeed the noble Lord goes a little further in his implication when he speaks of a public depravity of morals, which "may be imperceptible to the "visual nerves of a chosen few, and no euphrasy or rue that "he can administer will bring the object within their contemplation." In support of this figure the noble Lord reads to the House a long string of verses containing not only an exaggerated misrepresentation of the general morals of the country, but a coarse and unfounded libel on the dignity and conduct of this House. I give the noble Lord credit for having been dazzled by the brilliant clothing of sonorous words, and misled by the favourite name of a distinguished poet, or he would not, I am convinced, have addressed to your Lordships that which, if it should have been offered to the public in the plain shape of a prose paragraph, with no greater sanction than the name of a printer, or publisher of a newspaper, would have brought the author to your Lordship's bar, and justly subjected him to a rigorous punishment for a gross and criminal misrepresentation of this House of Parliament.

What, my Lords, is it in these times, and in this Parliament, that we are to be told, that, "*the Senate seems convened for purposes of empire, less than to relieve the adultress from her bonds?*" Is it to an House of Parliament, whose vigilant wisdom and dispassionate energy have been so constantly and so effectually exerted in contributing their full share to those greatest purposes of empire, the preservation of the state, the maintenance of the constitution, the support of his Majesty's auspicious government, and the general security of the people, against the formidable attacks which have been made upon all those vital objects, by the active principles and destructive machinations of foreign and domestic jacobins, that such an imputation is to be applied? The other member of the poet's aspersion comes also but ill from the noble Lord who brought in the bill, as addressed to the majority who have hitherto supported it; for they, at least, appear at all events, and under any circumstances, determined not to relieve the adultress from her bonds: and it is upon that point, and not upon the nature of the crime, that those who oppose the provisions of the bill, as objectionable, are at issue with those who think them salutary, and give them their support.

My Lords, I most cordially assent to the principle of the bill, and it is therefore that I object to the provisions of it; because

because they appear to me to counteract the professions of the preamble, and to usurp the title; the bill would be more properly described as an act for the more effectual promotion of adultery, and for the better propagation of bastardy. I object to it, because it is the reverse of what every penal statute ought to be; it is impotent for prevention, but oppressive and impolitic in punishment. The principal ground upon which the supporters of the bill recommend the provisions against the marriage of the woman after divorce, and the only one on which I have yet heard it argued, is the assumed fact that a promise of marriage is the great means of seduction on the part of the man, and the principal inducement to the commission of the crime on the part of the woman. To justify a law pregnant with such evils, as I shall by and by have to state this bill to be, the ground on which it rests must be assumed not as partial and occasional, but as general at least, if not universal; such an assumption, however, in this instance, would be repugnant to reason, and contrary to all experience. Is it reasonable to suppose that a seducer will commence his attacks upon the virtue of a woman of a cultivated mind, and in a respectable situation in life, with detailing to her the circumstances of disgrace and degradation which will be superadded to the shame of detection? Would it be consistent with common sense to hold forth the probability of that detection as the natural consequence of her compliance? He would be indeed a clumsy seducer who should submit to the consideration of a woman, in the first instance, the unequal balance between the measureless sacrifice he was urging her to make, and the poor, degraded, and secluded reparation which he could offer to her wounded reputation. Unfortunately, the arts of seduction are too much practised, and too well understood, to be so conducted; less palpable and more ingenious modes are pursued: and I entertain too high an opinion of the delicacy of feeling even of those unhappy victims amongst my countrywomen, who are artfully seduced from the paths of virtue, not to be convinced that such a broad and brutal proposal of speculative disgrace, would be their best protection, and that they would spurn at the prospect with contempt and horror. Put the same supposition into a different line of seduction, and in a less cultivated and refined rank of female life, and the fallacy will be manifest of the only ground on which this bill can be deemed effectual to its proposed purpose, or instrumental to the prevention of the crime of adultery.

If I were to introduce to your Lordſhips a bill for the ſuppreſſion of the Magdalen Hoſpital, and to render all ſuch inſtitutions illegal in future; and if I were, in ſupport of ſuch a bill, to argue that the ſhocking depravity, and diſguſting miſery of the ſwarm of unhappy proſtitutes who infeſt our ſtreets, had ariſen entirely from that impolitic and over indulgent inſtitution; if I were to ſtate that idle and diſſolute fellows made that retreat the means of ſeduction, by ſaying to the innocent girl whoſe virtue they were attempting that although the act ſhe was urged to commit would be followed by detection, by diſgrace, by the loſs of the eſteem and acquaintance of all thoſe with whom ſhe had been accuſtomed to live, and by ſeparation from her family for ever; yet that all this would be amply compenſated by his having ſufficient intereſt to obtain her a ſituation in the Magdalen Hoſpital, where ſhe would learn an honeſt mode of gaining her livelihood, her character be retrieved, and that ſhe might perhaps be even reſtored to her parents; and ſhould I further argue, that he might with truth add, that this was no idle ſpeculation, becauſe near three thouſand unhappy women had been retrieved from vice, and reſtored to honeſt induſtry by that inſtitution; would any one of your Lordſhips receive this argument as a ſufficient ground on which to build a law, for the ſuppreſſion of that charity? Would any of your Lordſhips believe that ſuch an argument ever did, or ever could influence a woman the moſt ignorant and depraved, to ſacrifice her chaſtity? And if the ſuppoſition be ſhocking and abſurd in the leſs delicate and leſs refined claſs of females, upon what ground of reaſon or common ſenſe can we conclude it to be ordinary and habitual amongſt thoſe who have more enlarged ideas to guide them, greater and more apparent ſacrifices to check and deter them? I confeſs I have not ſufficient acuteneſs of intellect to diſcover any difference in the two caſes; and I do not believe that, in any inſtance, the proſpect and intention of future marriage has preceded the ſeduction, or influenced the attachment of a married woman to her paramour. If, therefore, the mode of ſeduction be not ſuch as the bill preſumes, it will not operate as a prevention, as far as it attaches upon the woman; but, on the other hand, it will operate as an encouragement to the crime, and as an act of indemnity to the unprincipled man of intrigue, whoſe ſtudy and occupation are principally engroſſed by the arts and practice of ſeduction. He will be relieved from the impending dangers of matri-

mony

dony in the event of detection; the law will be his excuse for abandoning the woman on such an event; and the legal infliction of fine and imprisonment will be light in comparison of the penalty of matrimony, which they have now to apprehend from the tribunal of public opinion.

The effect of the law will be different with men of a different description. Many, who, urged by the violence of their passion, and a reprehensible and unjustifiable attachment, have violated the laws of morality and religion by the crime of adultery, may notwithstanding have feelings of tenderness and sentiments of honour still remaining, which will naturally urge them to make every reparation in their power to the disgraced and injured object of their illicit affection; marriage, as the law now stands, constitutes that reparation, and has, in fact, at least in every instance within my observation, uniformly operated a reformation of morals in the woman, and produced an exemplary wife, atoning (as far as atonement is possible) for her former crime, by a rigid propriety of conduct, and a ready submission to that exclusion from the gay circles of general society which her former misconduct has incurred. On the other hand, all those who have not been married to the man of their affections, for whom they have sacrificed their honour, have become the most dangerous and scandalous of prostitutes; dangerous from the advantages of polished education and elegant manners, which enables them to engage the attachment of young men first entering into life, to withdraw them from serious and honourable pursuits, and plunge them into dissipation and extravagance; and scandalous to public morals, by a bold and brilliant ostentation of affluent vice. The effect therefore of the bill upon your table, if it should not operate as a prevention of the crime of adultery (which I have already argued that it will not) must, in my conception, be to add to the number of the latter description of women, by totally putting an end to the former.

This conclusion, however, is denied by a right reverend Prelate, and he has told your Lordships that there yet remains a resource to the woman divorced for adultery, to which she may look with confidence, if her subsequent conduct be decent, reserved, and exemplary:—"The bill," says the right reverend Prelate, "wisely and justly precludes the "adulteress from contracting marriage with her paramour, "but there is nothing to preclude her union with some third "person, who having watched her exemplary conduct, her

"rectitude

"rectitude of life, and due obſervance of religious duties, "may entertain an expectation of happineſs with a woman "ſo conducting herſelf; and with him ſhe may receive the "reward of her repentance and good behaviour." I can have no objection to ſuch an event, if it were to take place; but urged as an argument in favour of the prohibitory clauſe of this bill, I cannot admit the caſe to be ſufficiently probable to juſtify the paſſing the bill, or very likely to influence the moral conduct of a woman divorced from her huſband, and prohibited marrying with her ſeducer. Women have certainly been frequently encouraged not to deſpair of marriage notwithſtanding any defects in their perſon:

"There ſwims no gooſe ſo gray, but ſoon or late
"She finds ſome honeſt gander for her mate."

But how far ſuch expectations could rationally be indulged under the diſadvantage of defects in their reputation, is a matter of much greater doubt; and I ſhould apprehend, that but few matrimonial ſpeculators would be found to reſtore a lady under ſuch circumſtances to the duties and comforts of matrimony. I muſt, therefore, notwithſtanding this expedient, continue to conſider the marriage of the woman as abſolutely precluded, though not poſitively prohibited by this bill, and that ſhe is therefore reduced either to a more general practice of diſſipation and vice, or to take refuge in the arms of her ſeducer, if he retains ſuch a ſenſe of honour as to feel it incumbent upon him to afford refuge to the perſon driven, by his act, from the protection of her family, from the ſociety of her friends, and deprived of the notice and eſtimation of the whole circle of her acquaintance.

Here the alternative is again combated, and I am told that ſtill another path remains for her to follow—retirement, ſolicitude, moral meditation, and religious repentance, at a diſtance from the ſociety which ſhe has offended, and from the friends and relations whom ſhe has ſacrificed. To this alſo, abſtractedly, I have nothing to object; but your Lordſhips, in legiſlating for ſociety, muſt conſider the nature of the individuals who compoſe that ſociety, and will feel yourſelves bound to enact laws upon views that can be expected practically to operate. Upon this ground I will aſk your Lordſhips, whether this path is one likely to be followed by any young woman of lively diſpoſition, ſtrong paſſions, habits of diſſipation, and love of pleaſure (and ſuch, for the moſt part, are thoſe who are the objects of this bill): can your Lordſhips expect from ſuch perſons ſtrength of mind to undertake,

take, or perseverance to profit by such a scheme of reformation? Is it not almost certain that a person of the description I have stated, will rather fly to her old habits of dissipation to dispel the gloom of sorrow, and the stings of remorse, than look for consolation in abstraction; and that she will rather take refuge in the thoughtlessness of vice, from the momentary pangs of solitary shame, than with a vigorous and steady mind look forward to more distant and more substantial happiness through persevering humiliation and self-supported repentance? I cannot speculate on such sublime exertions from so light a character, and must therefore, in my contemplation of the subject, consider the alternative as I have stated it. The bill, upon this view of the subject, directly counteracts its own professed purpose, and will produce the promotion of that which it professes to prevent. There is a well-known story of the reply of a judge to a criminal complaining of the great disproportion between the crime he had committed and the punishment that was about to be inflicted upon him, for stealing a horse; that "he was not condemned to be hanged for stealing an horse, but that horses might not be stolen." Although the effect here proposed, of preventing horse-stealing, has not been generally produced, the future perpetration of the crime, as far, at least, as the individual criminal is concerned, will be prevented; but the bill of prevention now under your Lordships' consideration, will have a diametrically opposite effect, and will tend to perpetuate the commission of the crime, by the person who is the object of its provisions. The best that can be hoped for the sake of public morals is, that the practice of the crime will at least be confined to the original seducer; the real and heavy penalty will fall upon the children: they will be the suffering victims of the law, and have reason to curse the provisions by which they are cut off from all rank in the body of subordinate society; *nullius filii!* debarred all right in customary claims by inheritance, holding no name but by concession, no relationship but by courtesy, no property but by donation: these, my Lords, are the certain penalties inflicted on the unoffending children, by the precarious project of reformation attempted by this bill.

Much has been earnestly and pathetically urged, on the importance of guarding the morals of the rising generation, by preventing the daughters from looking with indulgence on the crimes of their mother, in consequence of seeing her placed in a situation of some degree of respect, as the wife of

her ſeducer. I will aſk your Lordſhips whether the danger of injuring the morals of the riſing generation would not be much greater from the ſituation in which this bill is likely to place the woman divorced for adultery; and I will take ſucceſſively all the relations under which her children can be conſidered.

Firſt, as the offspring of the injured huband: if the conduct of the mother be decent and reſerved, ſhe will become an object of compaſſion and intereſt to her children, rather than of contempt and diſguſt; and her conduct will intereſt ſuch feelings even the more in proportion as the rigour of the law has degraded her from that rank in moral eſtimation which marriage might have given; and may teach them to conſider her offence in the light of an error, rather than of a crime, and the penalty of her ſituation as too ſevere a puniſhment. If, my Lords, on the other hand, the prohibition of marriage ſhall have been followed by the deſertion of the ſeducer, and conſequent miſconduct of the woman, the character of the mother will inevitably (however unjuſtly) operate to the diſadvantage of the daughters, and perhaps deter many diſcreet and cautious men from ſeeking them in marriage.

Take, my Lords, next the ſituation of the daughters of the woman, born after her divorce: on them the infliction will fall with peculiar weight. Baſtardy is of little comparative conſequence to the male children; they may obtain rank by their profeſſions, and their conſideration in the world will depend upon the exertions of their minds, and the character of their conduct; but the daughters have to ſtruggle with every diſadvantage from their rank in life.

With reſpect to the important conſideration on which ſo much has been ſaid, of the influence on their morals from early impreſſion, the moſt zealous ſupporter of the bill muſt feel the almoſt incalculable difference between the example of a mother living with the name and in the ſtate of an adultreſs, and of a wife feeling by herſelf, and fearing for her child, all the incurable evils of a deviation from chaſtity, and therefore the more rigidly performing, and the more earneſtly inculcating a ſtrict adherence to propriety of conduct, and an exalted ſenſe of the value and importance of virtue.

I come now, my Lords, to an obſervation which has been repeated with great earneſtneſs, and much relied upon by almoſt all thoſe who have ſpoken in ſupport of the bill; it has been made in anſwer to the objection ſtated to the bill,

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as bearing with peculiar ſeverity on the leſs culpable party, by inflicting a laſting diſgrace, an heavy and unceaſing puniſhment on the woman, whilſt it leaves the ſeducer in poſſeſſion of his rank in ſociety, and at liberty to practiſe his arts upon ſome other victim of his profligacy. The obſervation which has been made in anſwer to this objection is, that in fact no puniſhment is inflicted upon the woman, but that ſhe is merely left in the ſituation into which ſhe has brought herſelf. My Lords, it is not eaſy for me to expreſs the aſtoniſhment with which I have heard this remark made and repeated, with that ſort of mild complacency and confident tone with which plain axioms and eſtabliſhed principles may be brought to the recollection of diſputants deviating from them. Is it then to this aſſembly, is it in this country, is it to the profeſſors of a religion by which we are taught that the death of a ſinner is not deſired, but rather that he ſhould turn from his wickedneſs and live, that ſuch an obſervation can be urged as concluſive or even as admiſſible? What, my Lords, is the ſituation to which theſe unhappy women have brought themſelves? What is this ſituation, in which we are required to be contented to leave them? A ſtate of degradation and ſin! Is it conſiſtent with the principles of law, is it conſonant to the dictates of humanity, is it allowed by the precepts of religion, to leave the victims of error, or even the ſuffering criminal, in the ſituation in which they have placed themſelves, withholding the means which might operate to retrieve them from deſpair, and reſtore them to virtue? I will not believe that ſuch can be the feeling, the opinion, or conduct of the majority of your Lordſhips.

Much has been ſaid upon the neceſſity of this bill, as reſulting from the preſent ſtate of ſociety in this country, and the progreſſive corruption of morals, which is inferred from the number of divorce bills which have been brought into Parliament, within the period of his preſent Majeſty's reign. However diſpoſed I may be to retain and check the practice of a crime ſo injurious to the happineſs of families, and to the general morals of ſociety, I am not prepared to admit that the evil is increaſing; on the contrary, I believe that, in point of general morality, ſociety is in a better ſtate than it has formerly been in this country; ſure I am, that it is in a better ſtate than it is in the countries where divorces are impoſſible. The increaſed number of divorce bills appears to me to lead more naturally to a concluſion, that a greater degree of vigilance on the part of huſbands, and a more nice

joalouſy of the conduct of their wives, prevail at this time than in former periods.

Compare the general feelings of ſociety in this and in foreign countries upon this ſubject, and you will find the miſconduct of a wife, a matter here of obſervation and of general diſcuſſion; that domeſtic happineſs paſſes unobſerved, as a thing in the ordinary courſe of manners; and that there is no character ſo much an object of general contempt as an huſband who careleſsly overlooks, or baſely connives at his wife's irregular or vicious behaviour, becauſe he thereby becomes the willing partner of the diſhonour from which he might be delivered, and a convenient veil to the vice of one, whom every feeling of honour and delicacy, every ſenſe of his duty to his family and to poſterity, ſhould urge him to caſt from his boſom, and ſeparate from his name; a relief which the wiſe and benevolent practice of the Legiſlature of this country has hitherto ſanctioned and adminiſtered. In foreign countries, where divorces are impoſſible and marriage is indiſſoluble, the reverſe in every inſtance occurs; an happy marriage (according to our ideas of the ſtate) is a matter of ſome ſurpriſe, as well as praiſe; it is a pretty romantic occurrence for diſcuſſion; whilſt the difference of conduct creates no ſchiſm in ſociety, and the virtuous wife lives without ſcruple or ſcandal in the ſociety of the lady who has an attachment. A huſband, on the other hand, who ſhould be anxiouſly vigilant, or importunately jealous, would be an object of general ridicule; he would be repreſented as *un homme intraitable*, a boor, unfit for ſociety, and unaccuſtomed to the manners of the world—

> Ruſticus eſt nimium, quem lædit adultera conjux
> Et notos mores, non ſatis urbis habet.

The character, however, is one that ſeldom occurs. The maxim, that "Things without remedy ſhould be without "regard," is pretty generally adopted; they uſually avail themſelves of the convenience of a joint eſtabliſhment, and conſole themſelves elſewhere for the circumſtance of divided affections. Do I therefore, my Lords, attribute this difference of feeling on ſo delicate a ſubject to any diſparity between the general ſentiments of honour and propriety in other countries and in this? By no means: for on other occaſions as high and ſcrupulous a ſenſe of propriety is entertained by foreigners as by ourſelves. I attribute it to the advantages ariſing from the power of Parliament to grant a divorce in certain caſes; and therefore, my Lords, I draw this

this inference from it, that the calculation of the number of divorces is not of itſelf a proof of deterioration of morals; for it ſtill remains to be proved, that adultery is more frequent, and public manners more depraved, ſince the increaſe of Parliamentary divorces has taken place. The reverſe of this concluſion, I believe, will be found to be the fact.

My Lords, there is another part of the ſubject involving in it conſiderations of comprehenſive importance. The right reverend Prelate has aſſerted, that a woman divorced *à vinculo matrimonii*, commits adultery, let her marry whomſoever ſhe will, whether her ſeducer, or any other man. My Lords, if this doctrine be true, more is at ſtake than is comprehended in the proſpective proviſions of the preſent Bill. I have even heard a doubt whiſpered of the validity of marriages contracted by women under ſuch circumſtances, and of the ſecurity of inheritances deriving through them. My Lords, this is a queſtion of too ſerious magnitude to be ſolemnly averred, and then ſuffered to reſt in doubt and uncertainty. I truſt and believe that the doctrine is erroneous: at all events the queſtion muſt be conſidered, and the evils averted, if indeed they are impending. I ſhould not venture to diſcuſs a queſtion comprehending in it ſo much of canon law, and of the law of God, with a perſon of the learning, weight, and authority of the right rev. Prelate, if I did not feel myſelf ſupported by great and powerful authorities on the other ſide. I have not only the incidental and implied authority of another right reverend Prelate, who recommends a marriage with a third perſon, but I have the poſitive and expreſs determination of the point by the great author and martyr of the reformed church of England, aſſiſted by the biſhops of Durham and Rocheſter of that day, and by the moſt learned divines and civilians of a period, when the true doctrines of the goſpel and the right interpretation of the ſcriptures were matters of the earneſt and unremitting attention of pious and learned men. The deciſion of this delicate point by the perſons I have mentioned is expreſsly declared by them to be confirmed and pronounced by the law of God; the ground and object of that deciſion, *as far as it bears upon the proviſions of this Bill*, I conceive never to have been done away by any ſubſequent deciſion or practice in caſes of divorce.

By the ancient canons of the church of Rome, as your Lordſhips know, marriage was deemed a ſacrament, and could

could not be diſſolved except for ſome canonical cauſe of impediment exiſting before the marriage; ſuch as conſanguinity, &c. At the period of the Reformation in this country a different doctrine was held upon the ſubject, after the moſt laborious inveſtigation of the matter; in the courſe of which Cranmer himſelf ſearched into the opinions of the fathers and doctors ſo copiouſly, that his collections upon the queſtion grew (as Biſhop Burnet ſtates) into a large volume. The caſe which gave riſe to this inveſtigation is curious, and applies, in my apprehenſion, eſſentially to the point on which I have ſolicited your Lordſhips' attention. The Marquis of Northampton having been divorced from the Lady Anne Bouchier, his firſt wife, for adultery, a commiſſion was appointed at the beginning of King Edward the VIth's reign, at the head of which Archbiſhop Cranmer was placed, to try whether the Lady Anne was not, by the word of God, ſo lawfully divorced, that ſhe was no more his wife; and whether, thereupon, he might not marry another. The patience and perſeverance of the Archbiſhop in the examination of authorities, and in the compoſition of his large volume on the ſubject, ſo far exceeded the patience of the Marquis of Northampton in waiting for a wife, that he ſolemnly married the daughter of Brooke Lord Cobham before judgment was given upon the legality of ſuch marriage. He was, however, ſeparated from his new wife till the deciſion of the delegates ſhould be given. Biſhop Burnet then adds a copious extract of the opinions of the fathers, with which I will not trouble your Lordſhips. In concluſion, the whole was divided into eight queries, which were put to ſome learned men: Who they were does not appear, but I venture to believe, that no names could add to the weight and authority they derive from the Archbiſhop of Canterbury and his learned coadjutors having (after all their own laborious inveſtigation) formed their deciſion of the caſe upon the anſwers which they delivered to theſe queries.

Upon the firſt queſtion they determined that the act of adultery conſtitutes an actual diſſolution of the marriage bond; and decided againſt the legality of a ſeparation *à menſa et thoro*. The ſixth is the queſtion which particularly applies to the object of this bill, and it is ſtated and anſwered as follows: 6. *An etiam uxor, repudiata propter adulterium, alteri poterit nubere?—Ad ſextam reſpondemus; Quod repudiata propter adulterium, quia uxor repudiantis deſiit eſſe, ob idque libera*

libera eſt ſicut aliæ omnes poſt obitum virorum poſſunt aliis nubere; æquo jure juxta illud Pauli, ſi non contineant contrahant matrimonium. Upon theſe anſwers to the queries the marriage of the Marquis of Northampton was declared valid. He was, however, adviſed four years after to have an Act of Parliament to confirm his marriage, which act was repealed in the popiſh reign of Queen Mary.

The deciſion on the Marquis of Northampton's caſe eſtabliſhed a precedent, which continued to be conſidered as law till the laſt year of the reign of Queen Elizabeth,* when the caſe of Foljambe (upon the validity of his marriage to a ſecond wife, after his divorce from the firſt for adultery) came to be tried in the court of Star Chamber, where the temporal judges declared the ſecond marriage null, becauſe it was only a divorce *à menſa et thoro*, and becauſe Archbiſhop Whitgift affirmed, that ſeveral grave divines and civilians, whom he had aſſembled at Lambeth to conſider that point, did all agree that the marriage was void.†

My Lords, I am not much diſpoſed to quarrel with this deciſion, which has ſince guided the conſtant practice of the eccleſiaſtical courts, and is indeed conſiſtent with the canon law as it now ſtands; but I muſt juſt detain your Lordſhips a few moments on this point, to obſerve that this deciſion was made upon the ground of the old canon law, which was to have been altered by the thirty-two commiſſioners appointed by the act of Henry the Eighth to reform the canons of the Church of Rome; and which by the laſt cauſe of that act were proviſionally eſtabliſhed until it ſhould be otherwiſe ordered and determined by the two-and-thirty commiſſioners. This canon law of the Church of Rome never having been reformed, continues to this day to be the law of our eccleſiaſtical courts; the *Reformatio Legum*, compoſed by Cranmer, and ſome of the moſt learned men of his time, having been

* 3d Salkeld, 138. A divorce for adultery was anciently *à vinculo matrimonii*; and therefore, in the beginning of the reign of Elizabeth, the opinion of the Church of England was, that after a divorce for adultery the parties might marry again.

† Gibſon's Codex, b. 22, ch. 17. See alſo Moore's Reports, 683. "*Que* ceo fuit un void marriage quia *le premier divorce n'eſt que à menſa* "*et thoro*, et nemy à vinculo matrimonii, et John Whitgift, adonques "Archevêque de Canterbury, dit qu'il avoit appeliés al lui al Lam-"beth les pluis ſages divines et civilians, et ils avoyent tous ceo "agree."

caſt

caſt aſide and forgotten, on the acceſſion of Mary and ſubſequent murder of Cranmer.

I am, my Lords, no friend to the ſpirit of heavy penalties in which the *Reformatio Legum* was compoſed; it may ſuit the ideas of thoſe who think that by one deviation from the ſtrict rules of morality, that for one infringement of the divine law, a man forfeits every ſenſe of virtue, and every claim to the attributes of honour: thoſe who entertain ſuch notions, I ſay, may think that the crimes ſet forth in the *Reformatio Legum* ſhould, as it is there propoſed, be puniſhed either by perpetual impriſonment or baniſhment for life; but I, who think there are gradations in guilt, cannot admit that, even for the crime of adultery, a man ſhould forfeit, during life, the enjoyment of his liberty, or be proſcribed from the limits of his country, and cut off from the protection of her laws. Yet while I deprecate the penal ſeverity of the *Reformatio Legum*, I reſpect the wiſdom of its reaſoning; and particularly that part of it which accompanies the propoſed abolition of the divorce *à menſa et thoro*, becauſe, in a few concluſive words, it ſhews that ſpecies of ſeparation to be dangerous to morality, and contrary to the laws of reaſon and of God; and I will ſtate the expreſſions to your Lordſhips in the words of the *Reformatio Legum: Menſæ ſocietas et thori ſolebat in certis criminibus adimi conjugibus, ſalvo tamen inter illos reliquo matrimonii jure. Quæ conſtitutio, cum à ſacris literis aliena ſit, et maximam perverſitatem habeat, et malorum ſentinam in matrimonium comportaverit; illud authoritate noſtrâ totum aboleri placet.* This, my Lords, would, in my apprehenſion, be a ſufficient ground for granting, in all caſes, a divorce *à vinculo matrimonii*, where a previous divorce *à menſa et thoro* had been obtained, and would ſtrongly diſpoſe me to give my aſſent to a meaſure which has been hinted at, of leaving the final and total diſſolution of the marriage bond to the juriſdiction of the Eccleſiaſtical Court.

To return, my Lords, to the caſe of Foljambe, I contend that it has no bearing whatever on the ſubject of debate on this day, inaſmuch as it contains ſimply a deciſion on the nature of a divorce *à menſa et thoro* under the Romiſh canon law; which your Lordſhips well know, upon the principle of marriage being a ſacrament, neither did nor could go beyond ſuch a ſeparation. Neither does this deciſion, nor the adminiſtration of the Romiſh canon law, ſtill in force in our eccleſiaſtical courts, in any degree invalidate the opinions given

given in the case of the Marquis of Northampton; those opinions being expressly grounded on the interpretation of the law of God by those learned men, and not upon any construction of the canon law, which formed no part of the ground of their opinion, any more than it becomes a guide to your Lordships in passing an act for a divorce of the parties *à vinculo matrimonii*. And let me here press upon your Lordships attention, that the prohibition to marry (or voidance of the marriage, which is the same in substance) in the case of Foljambe, did not attach upon the guilty party, but upon the injured husband; so in the sentence of divorce in the Ecclesiastical Court, the bond taken not to contract marriage is equally obligatory on the injured as on the guilty party. It is not therefore from the canon law as it exists, or from the decisions which have taken place under it, that we can decide the nature and justice of the provision proposed to your Lordships in the bill upon your table; for the question does not lie in the nature of the divorce, but in the situation in which the parties are placed after the divorce *à vinculo matrimonii*, and how far in law or justice, the release should be extended to both parties, or limited to one only: and this point, my Lords, must be decided by the law of God: to the discussion of which I pledged myself to your Lordships on a former day.

And here, my Lords, allow me to say, that, as a Protestant of the Church of England, I feel no apology due for entertaining an opinion of my own upon the construction of a text of Scripture; had I any doubt upon my mind, I should receive the exposition of the right reverend Prelate opposite to me with the respect and confidence which is due to his great abilities and extensive learning; but having formed my opinion upon attentive consideration of the subject, and conceiving myself supported by the authority of the learned referees of Archbishop Cranmer, I have no scruple of broadly stating to your Lordships, that I conceive the law of God distinctly to allow the marriage of both parties, upon a divorce for adultery.

My Lords, the law on this subject is promulgated in the sermon on the Mount, and in the 19th chapter of Matthew, verse 9. In the first it is said, that, "whosoever shall put "away his wife, saving for the cause of fornication, *causeth* "her to commit adultery; and whosoever shall marry her "that is divorced committeth adultery."—I would here ask your Lordships, what construction is to be put upon the ex-

preſſion, that he who putteth his wife away *cauſeth* her to commit adultery? The merely putting away his wife, would not, in any caſe, neceſſarily cauſe her to commit adultery, unleſs that putting away left her at liberty to marry another man; and if the expreſſion in the text be ſo underſtood, there is no difficulty or ambiguity in the interpretation of the whole: whoſoever putteth his wife away for fornication, putteth her away upon a juſt ground of divorce, and therefore does not cauſe her to commit adultery if ſhe marries again; but if he putteth her away for any other cauſe, ſaving that of fornication, he putteth her away upon grounds that do not juſtify divorce, and cauſeth her to commit adultery, by inducing her to marry another, when ſhe could not be lawfully ſeparated from him. In the 19th chapter of Matthew this doctrine is more fully laid down; for being preſſed by the queſtions of the Phariſees, our Saviour enters into a more detailed explanation; being aſked whether it were lawful for a man to put his wife away for every cauſe, he explains the near connexion of man and wife, and that thoſe whom God has joined no man ſhall put aſunder—"how comes it then, "ſay the Phariſees, "that Moſes "commanded a writing of divorcement? to which it is anſwered, that Moſes, on account of the hardneſs of their hearts, ſuffered them to put away their wives, and that it was not ſo from the beginning; then follows the expoſition of what was ſo from the beginning: "And I ſay unto you, "Whoſoever ſhall put away his wife, except it be for forni-"cation, and ſhall marry another, committeth adultery; "and whoſo marrieth her who is put away, doth commit "adultery." Here the law attaches upon both parties, and they equally ſin if they ſeparate and marry after, without the exception provided; and if the exception operates in exculpation of one party; on what ground of reaſoning can it be withdrawn from the other?

Taking this text with that which I before quoted, the interpretation appears to me to be fixed beyond diſpute. Put a ſimilar caſe of an human law, and let us ſee what the concluſion muſt of neceſſity be. Suppoſe a law ſhould declare, that whoſoever ſhall take goods from a ſhop, except he pay for them, committeth a felony, and whoſo receiveth the goods that are taken committeth felony; would my noble and learned Friend upon the Woolſack be diſpoſed to give a charge upon ſuch a law to thoſe who have been called the unlearned Lords, as a jury, directing them to acquit the taker

of

of the goods becauſe he had complied with the exception which exculpated him; but at all events to find the receiver guilty, becauſe the exception did not apply to him? And yet the violence of conſtruction is not greater in the one caſe than in the other.

But if I am miſtaken in my conception of the law of God as I have ſtated it, ſure I am that no diſtinction is any where made in the Scriptures between the ſeducer of the woman and any other man, and in either caſe the proviſion of the bill upon your table is defective—either it exceeds the limits of the law of God, or it falls ſhort of them; either it prohibits what that law permits, or it permits what that law prohibits: and this dilemma induces me to ſuppoſe that the right reverend Prelate has not afforded the ſubject his full attention; for I give him too ſincere credit for all the feelings which belong to him, to ſuppoſe that he would compromiſe the law of God to gratify and conciliate any human legiſlator. And if the interpretation of the text bears out the right reverend Prelate in his declaration of adultery in the woman divorced, whoſoever ſhe might marry; it was in that caſe incumbent upon that right reverend Prelate to have moved an amendment in the Committee, to prevent the marriage of the adultreſs with any perſon whatſoever. I am however not diſpoſed to reproach the right reverend Prelate with any neglect or omiſſion on this ſubject. I am ſatisfied that ſuch an amendment would only have removed the proviſions of the bill ſtill further from the plain and obvious interpretation of the Goſpel.

My Lords, the principles of juſtice are uniform, clear, and ſimple; diſguiſe them by ſophiſtry, or pervert them by refinement, and mark what inconſiſtencies will follow: The clauſe to which I object violates an eſtabliſhed maxim in juriſprudence, "That where no mutual relation exiſts no "duty can attach;" for it propoſes to diſſolve the bond of matrimony on one part *to all intents and purpoſes, as if no ſuch marriage had ever taken place*; fixing at the ſame time one link of the chain upon the other party, even beyond the uſual duration of duties, for death will not releaſe her from this partial and prohibitory tie.

But we are told, my Lords, that the marriage of the woman never was in the contemplation of the Legiſlature, becauſe it is not expreſsly provided in the act of divorce. My Lords, to this I anſwer, that the act is framed in the terms of the petitioner's prayer, and that it would be a degree of

liberality that would ſavour ſomewhat of colluſion if the petitioner were to join the offending party with himſelf in this application for relief. I ſay further, that the liberty is implied by the terms in which the diſſolution is expreſſed in the act; and that this interpretation is confirmed by the conſtant and unqueſtionable practice of the parties. Let me then aſk your Lordſhips, upon what principle of juſtice, upon what ſanction of experience, upon what ground of reaſon, we are now called upon to place a man in the ſituation of having at once a wife and an half, maintaining with the *whole wife* all the reciprocal duties and mutual claims of affection and ſupport which belong to matrimony, and receiving at the ſame time from the *half wife* the ſolitary duty, not of perſonal fidelity, but of matrimonial reſtriction, without owing her any return of protection, or maintaining with her any common ties of intercourſe, intereſt, or affection?—where, my Lords, is this woman, this half-ſhackled wife, to ſeek the comforts of ſociety, or the ſupport of affection, to promote in her the ſeeds of returning virtue? Not from the virtuous part of ſociety, for ſhe is an outcaſt from it; not with her own family, for we are told that her reception there would be a bad example to her ſiſters, if ſhe has any, or, ſhould ſhe have none, to the daughters of other families, which your Lordſhips are called upon as fathers to conſider on general principles; not in the name and duties of wife, which practically has been found to produce reformation, muſt ſhe ſeek refuge.

My Lords, to none of theſe muſt ſhe fly, but (if ſhe has not reſolution for abſolute ſeclusion) ſhe muſt, under this bill for the more effectual *prevention* of adultery, live in a ſtate of continued adultery with her ſeducer, or fall into a more debaſed and vicious ſtate by mixing with ſuch ſociety as may be diſpoſed to receive a woman under ſuch circumſtances of degradation and diſgrace.

And now, my Lords, a few words upon that part of the bill to which I ſhould gladly have given my poor ſupport, had not its ſucceeding clauſe, "like a mildewed ear blaſting "its wholeſome brother," rendered the bill altogether inadmiſſible. My Lords, I am ſo unfortunate as not to agree with the right reverend Prelate in the part which he has ſelected to defend; even in that clauſe, the object of which, upon the whole, I approve,—I mean that part of it which has been objected to as giving a power of inflicting a double puniſhment for the ſame crime, by not taking away from the huſband his action of damages when it makes the adulterer liable

liable to indictment, and which has been defended by the right reverend Prelate as only affording an option of ſuch mode of proſecution as the offended party may prefer, and which election he will be called upon by the Attorney General to make. Now, my Lords, my objection to this part of the clauſe is, that it does neither the one nor the other, though it profeſſes to do both. I think it always a ground of ſerious objection to the proviſions of any law, when they do not plainly profeſs what they virtually enforce; and in the way the clauſe in queſtion muſt operate, I had rather it ſhould have expreſsly declared, that no obſtacle ſhould be oppoſed to the double proceeding, or that the action for damages ſhould have been ſpecifically taken away, though that in fact would inflict a certain degree of penalty on the injured party on whom the whole expenſe of legal proceſs and of the act of divorce would fall, which elſe might have been paid out of the compenſation in damages.

But, my Lords, it is a mockery, as the bill now ſtands, to ſay that the injured party has any real option; it is a nominal option, in the nature of what is vulgarly called Hobſon's choice; for the Attorney General indeed ſays, here are two ways of proceeding, make your election: but, ſays the act of parliament, if you do not fix upon the mode by indictment, you ſhall not have your bill of divorce; and the option being thus virtually fixed, the act ſhould plainly declare that criminal proceſs ſhall alone be reſorted to in caſes of adultery.

And now, my Lords, having gone through the arguments which have been brought by the two noble Lords in ſupport of the bill, I come to the concluding admonition by which your Lordſhips have been urged to its adoption, and warned againſt the dangers of its rejection: if (it is ſaid) this bill ſhould be rejected after having been brought forward and diſcuſſed by your Lordſhips, the ſtate of public morals will not be left as they were found at the introduction of the bill into the Houſe; vice will be encouraged: and the public will receive an impreſſion that your Lordſhips think lightly of the crime, and are not diſpoſed to diſcountenance or correct it: my Lords, I, for one, do not ſee thoſe dangers, or apprehend thoſe conſequences from your rejection of this bill. The unanimous opinion of your Lordſhips upon the deteſtable nature of the crime, has been ſtrongly and repeatedly expreſſed in the courſe of the frequent diſcuſſions which this ſubject has undergone. But if ſuch ill

effects

effects be indeed likely to ariſe from the rejection of the bill, as have been ſuggeſted, it would have well become thoſe who brought it forward, to have conſidered the danger before they ſtirred the queſtion. Upon them, and not upon the oppoſers of the bill, muſt the reſponſibility of the ill effects of its rejection fall. If your Lordſhips were to be influenced by ſuch repreſentations, there would not only be an end of the freedom of diſcuſſion, but of free agency, in this Houſe upon delicate ſubjects. My Lords, I have already ſtated that I do not apprehend the evil conſequences which are repreſented as likely to enſue from the rejection of the bill, but ſure I am at all events, that they never can equal thoſe which I dread from its being paſſed into a law; to which, my Lords, I give my moſt hearty diſſent, becauſe the bill appears to me calculated to promote the crime which it profeſſes to repreſs; and becauſe I think it at once adverſe to the intereſts of morality, contrary to ſound policy, and at variance with the law of God.

END OF REPORTS, VOL. III.

APPENDIX.

APPENDIX.

APPENDIX.

Dublin Caſtle, 28th May 1800.

MY LORD,

I RECEIVED the honour of your Grace's letter of the 19th paſt, incloſing to me an addreſs which had been laid before his Majeſty by the Houſe of Commons of Great Britain, praying that his Majeſty would be graciouſly pleaſed to give directions that the following account be laid before them; viz. "An account of the "number of offices, together with the ſalaries and emoluments an- "nexed to the ſame, tenable by, or actually held by the preſent "Members of the Iriſh Parliament;" and ſignifying to me his Majeſty's commands, that I ſhould enable him to comply with the requeſt contained in the ſaid addreſs, by tranſmitting to you, for his information, ſuch an account as therein is ſpecified, as far as the ſame can be made up.

In anſwer thereto, I beg leave to acquaint your Grace, firſt, that there is no proper officer in this kingdom to make out the returns deſired by the Houſe of Commons, and to certify them officially; and ſecondly, that in order ſtrictly to comply with the addreſs, which requires an account of all offices tenable by Members of Parliament, with the ſalaries and emoluments annexed to the ſame, it would be neceſſary to have returns made of every office of every deſcription in Ireland, and an inveſtigation of the nature of each, ſo as to aſcertain the preciſe profits made by each officer; a work which would demand a great length of time to accompliſh, and might probably require the authority of an expreſs Act of Parliament for its perfect completion.

Under theſe circumſtances, I have not been enabled fully to comply with his Majeſty's commands; but I incloſe to your Grace, two papers; which I truſt may anſwer the object of the addreſs.

The firſt is a return of thoſe Members of the Iriſh Houſe of Commons who hold civil offices of any kind whatever, ſpecifying the ſalaries annexed thereto, and ſtating the nature of their tenure.

The ſecond paper ſtates thoſe offices, the holders of which, by particular Acts of Parliament, are not permitted to ſit in the Houſe of Commons of Ireland; from which it will of courſe appear, that every other office in Ireland not therein enumerated, is tenable with a ſeat in Parliament.

If thoſe papers ſhould not prove ſatisfactory to the Houſe of Commons of Great Britain, I ſhall be happy to uſe my endeavours to have the information wanted aſcertained in any other form which ſhall be ſuggeſted. I have the honour, &c.

CORNWALLIS.

A true Copy, JOHN KING.

His Grace the Duke of Portland.

Whitehall, June 5, 1800.

An Account of Offices actually held by the preſent Members of the Iriſh Parliament, excluſive of Military Appointments.

Henry Alexander, Eſq. chairman of committee of ſupply, 500l. per annum.

Right Hon. J. Beresford, firſt commiſſioner of the revenue, 2,000l. per ann.—during his Majeſty's pleaſure; and taſter of wines 1,000l. per ann.—for life.

Right Hon. Sir J. Blaquiere, alnager, for 48 years, commencing 1797.

Thomas Burgh, Eſq. commiſſioner of accounts, 800l. per ann.—during his Majeſty's pleaſure; and joint weighmaſter of Cork—for life.

J. C. Beresford, ſtorekeeper, port of Dublin—during his Majeſty's pleaſure.

A. Botet, Eſq. conſtable of Caſtlemain, 200l. per ann.—during his Majeſty's pleaſure.

Lord Caſtlereagh, chief ſecretary to the lord lieutenant, 4,500l. per ann.; keeper of the ſignet or privy ſeal, 1,500l. per ann.; and a commiſſioner of the treaſury—during his Majeſty's pleaſure.

Right Hon. Sir H. Cavendiſh, receiver-general of his Majeſty's revenues of cuſtoms and exciſe, 1,000l. per ann.—during his Majeſty's pleaſure.

Edward Cooke, Eſq. under ſecretary to the lord lieutenant for civil department, 1,414 os. 11d.—during his Majeſty's pleaſure; and cuſtomer of Kinſale 500l.—for life.

C. H. Coote, Eſq. commiſſioner of the revenue 1,000l.—during his Majeſty's pleaſure.

Right Hon. J. Corry, chancellor of the exchequer, 1,200l. per ann.; commiſſioner of the treaſury, 800l. per annum—during his Majeſty's pleaſure; and ſurveyor general of lands, 600l. per ann.—for life.

W. A. Croſbie, Eſq. commiſſioner of ſtamps 500l. per annum—during his Majeſty's pleaſure; ſteward of the lord lieutenant's houſehold 414l. os. 11d. per ann.—during the lord lieutenant's pleaſure; and cuſtomer and collector of Waterford and Roſs 15l. per annum—for life.

James Cuffe, Eſq. treaſurer to the barrack board—during his Majeſty's pleaſure.

Lord

Lord Vt. Clements, joint comptroller and ſearcher of Dublin, 5l. per annum—for life.

Hon. A. Creighton, regiſter of forfeitures, 300l. per annum—during his Majeſty's pleaſure.

St. George Daly, Eſq. prime ſerjeant, 277l. 11s. 6d. per ann.—during his Majeſty's pleaſure.

Dr. Duigenan, advocate of the admiralty court, 200l. per annum; and King's counſel—during his Majeſty's pleaſure.

John Egan, Eſq. chairman of the ſeſſions at Kilmainham, 800l. per annum—for life.

William Elliot, under ſecretary to the lord lieutenant in military department, 1,414l. os. 11d. per annum—during his Majeſty's pleaſure.

Lord C. Fitzgerald, muſter maſter general, 500l. per ann.—during his Majeſty's pleaſure.

Maurice Fitzgerald, Eſq. commiſſioner of revenue, 1,000l. per ann.—during his Majeſty's pleaſure.

Sir C. Forteſcue, king of arms, 228l. 9s. 4d. per annum—during his Majeſty's pleaſure.

Right Hon. W. Forward, treaſurer to the poſt-office, 500l. per ann.—during his Majeſty's pleaſure.

Luke Fox, Eſq. king's counſel—during his Majeſty's pleaſure.

William Gore, Eſq. commiſſioner of barracks, 400l. per annum—during his Majeſty's pleaſure.

George Hatton, Eſq. commiſſioner of ſtamps, 500l. per annum—during his Majeſty's pleaſure.

R. T. Herbert, Eſq. commiſſioner of ſtamps, 500l. per annum—during his Majeſty's pleaſure.

John Hobſon, Eſq. ſtorekeeper of the ordnance, 400l. per annum—during his Majeſty's pleaſure.

Peter Holmes, Eſq. firſt commiſſioner of ſtamps, 800l. per annum—during his Majeſty's pleaſure.

Hon. H. Howard, commiſſioner of ſtamps, 500l. per ann.—during his Majeſty's pleaſure.

Hon. F. H. Hutchinſon, collector of the port of Dublin, 200l. per annum—during his Majeſty's pleaſure.

Hon. T. Jocelyn, ſurveyor of the port of Belfaſt, 60l. per ann.—during his Majeſty's pleaſure.

Robert Johnſon, Eſq. counſel to commiſſioners of revenue, 100l. per ann.; and king's counſel—during his Majeſty's pleaſure.

Walter Jones, Eſq. paymaſter of corn bounties—during his Majeſty's pleaſure.

William Knott, Eſq. commiſſioner of appeals, 300l. per annum—during his Majeſty's pleaſure.

Francis Leigh, Eſq. collector of Dublin exciſe, 490l. per annnm—during his Majeſty's pleaſure.

Thomas Lindſay, Eſq. receiver general of ſtamp duties, 600l. per ann.—during his Majeſty's pleaſure; and gentleman uſher of the black rod, 355l. 11s. 11d.—during the lord lieutenant's pleaſure.

Lord

"ment of ſurveyors and inſpectors ſufficient for the due collection "of the ſeveral taxes under our management, it is with reluctance "that we now find it neceſſary to recommend to your Lordſhips a "conſiderable increaſe in that eſtabliſhment. We ſubjoin a table, "ſhewing the number of inſpectors and ſurveyors now employed, "and the additional number of ſurveyors propoſed by us; which "in our opinion is rendered eſſentially neceſſary, from the great "increaſe of duty. This will occaſion an increaſed expence of 8,910l.

"We have thought it neceſſary, that the buſineſs of this office "ſhould be divided into three departments, by ſeparating the in-"come tax from the other aſſeſſed taxes. And we propoſe to re-"commend officers and clerks, now employed by us, to be ap-"pointed to that department; in ſome inſtances at increaſed "ſalaries, which will occaſion a further increaſe of expence of "208l. 15s.

"All which is humbly ſubmitted to your Lordſhips.

"We are, your Lordſhips moſt devoted Servants,

WM. LOWNDES, EDWARD MEDOWS,
G. T. GOODENOUGH, BARNE BARNE.

In conſequence of the propoſal contained in this letter, thirty-ſix perſons have been put under inſtructions to qualify themſelves for the office of ſurveyor; but no appointments have actually taken place.

WILLIAM LOWNDES,
BARNE BARNE,
Office for Taxes, June 5, 1800. G. T. GOODENOUGH.

An Account of the Number of Surveyors and Inſpectors according to the preſent Eſtabliſhment; together with the Number propoſed, the Amount of the Salaries.

		Amount of Salaries.
Preſent eſtabliſhment of ſurveyors and inſpectors is	213	£. 19,290
Propoſed addition of 99 ſurveyors at 90l. per ann. each		8,910
		£. 28,200

To the Hon. the Knights, Citizens, and Burgeſſes, in Parliament aſſembled.

An Account of the Actual and Eſtimated Expence of collecting the Tax on Income, for the Years 1799 and 1800.

THE allowances to the collectors, clerks of the commiſſioners, and the receivers general, for aſſeſſing, collecting, and accounting for the tax upon income, will be nearly after the ſame rate as under the act for granting an aid and contribution; and on that computation will not amount to the rate of 6d. in the pound. The poundage calculated at that rate for the year 1799, on 4,571,074 (that ſum being the eſtimated produce of the tax, excluſive of aſſeſſments by commercial commiſſioners) would amount to £. 114,276 3 6

The acts having restricted the rewards to inspectors and surveyors to a sum not exceeding what the commissioners for executing the acts shall report them to deserve; and certificates having been transmitted to this office of the sums which they seem entitled to; it is proposed to make them such allowances as they had received the preceding year, under the said act for granting an aid and contribution; and which at that rate will amount to £. 4,180 — —

Printing, stationary, and other incidental expences in this office, are estimated at £. 11,850 9 3

The remaining articles of expence attending the duty upon income (and which that duty only is subject to) consist in the incidental expences of commissioners for executing the acts, and in the allowances to assessors.

The following sums have been actually advanced by the receivers general on account of the expences of the commissioners; viz.

	£.	s.	d.	£.	s.	d.
To commissioners for general purposes	2,300	—	—			
To commercial commissioners -	13,134	15	—			
To commissioners of appeal -	390	10	11			
				15,825	5	11

No estimate can be formed of the further sums which may be required on this head: but it should be observed, that upon sums received on assessments made by commercial commissioners, no poundage is payable to the clerks or collectors; nor where the money on such assessments is paid into the bank, any allowances to the receivers general. The amount of this poundage is about 33,818l. 5s. 6d. which being a saving arising from the mode of making the payments on assessments by commercial commissioners, may be set against the expences of those commissioners.

The allowances to the assessors are to be certified by the commissioners for executing the acts; and the commissioners for the affairs of taxes are authorized to direct the receivers general to pay them such rewards, not exceeding the amount certified, as they shall think fit. From the certificates which have been transmitted to this office, the rewards to the assessors, supposing them to be granted to the full extent recommended by the commissioners, would amount to nearly 1d. in the pound; and calculated at that rate upon the whole assessments, to the sum of 19,046l. 2s. 10d.; but no sum has yet been advanced on that head of expence.

No estimate can be formed of the expences of collecting the tax upon income for the year 1800. There does not appear to us any reason to suppose these will vary considerably from the preceding statement for the year 1799; except as far as the different amounts of duties in those years may vary the amount and rate of poundage.

and as any increaſe which may be found neceſſary to make to the Eſtabliſhment of this office or of the ſurveyors, may be conſidered as applicable to this tax.

WILLIAM LOWNDES.
BARNE BARNE.
EDWARD MEDOWS.
HORACE BLAYES.
G. T. GOODENOUGH.

Office for Taxes,
3d June, 1800.

PUBLIC ACTS.

The following BILLS received the Royal Aſſent in the courſe of the Fourth Seſſion of the Nineteenth Parliament of Great Britain, commencing on Tueſday the 24th of September, 1799, to Tueſday the 29th of July, 1800.

OCTOBER 12.

AN Act for enabling his Majeſty to accept the ſervices of an additional number of volunteers from the militia, under certain reſtrictions.

An act for continuing and granting to his Majeſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand eight hundred.

An act for continuing and granting to his Majeſty a duty on penſions, offices, and perſonal eſtates, in *England*, *Wales*, and the town of *Berwick upon Tweed*; and certain duties on ſugar, malt, tobacco, and ſnuff, for the ſervice of the year one thouſand eight hundred.

An act for raiſing a certain ſum of money, by loans or exchequer bills, for the ſervice of the year one thouſand eight hundred; and for permitting exchequer bills iſſued under an act of the laſt ſeſſion of Parliament for granting to his Majeſty a certain ſum out of the conſolidated fund, and for other purpoſes; if not paid by a certain day, to be received in payment of any of the branches of public revenue.

An act for enabling his Majeſty to direct the iſſue of exchequer bills to a limited amount, and in the manner therein mentioned, for the relief of the merchants of *Liverpool* and *Lancaſter*.

An act to enable the Lords Commiſſioners of his Majeſty's Treaſury to iſſue exchequer bills to a limited amount, on the credit of ſuch monies as may ariſe by virtue of an act of the thirty-eighth year of his preſent Majeſty's reign, for granting certain additional duties of cuſtoms on goods exported and imported, and on tonnage of ſhips entering outwards or inwards, to or from foreign parts, until the ſigning the preliminary articles of peace; and upon an act of laſt ſeſſion of Parliament, for granting certain duties upon income.

An act to amend ſo much of an act made in the laſt ſeſſion of Parliament for granting certain duties upon income, as relates to the

the appropriation of the ſaid duties, and of the duties upon goods imported and exported, granted by an act of the thirty-eighth year of the reign of his preſent Majeſty.

An act for allowing further time for the payment of inſtalments on certain ſums of money, advanced by way of loan, to ſeveral perſons connected with, and trading to the iſlands of *Grenada* and *Saint Vincent*.

An act for reducing, until the firſt day of June, one thouſand eight hundred, the duties upon ſpirits diſtilled from molaſſes or ſugar, or any mixture therewith; for prohibiting the diſtillation of ſpirits from wheat, or wheat flower; and for reducing until the twentieth day of *September* one thouſand eight hundred, and better collecting the duties payable on the importation of ſtarch.

An act to enable the Commiſſioners of the cuſtoms to allow, until the firſt day of *April*, one thouſand eight hundred, *Britiſh* plantation ſugars to be warehouſed; to revive ſo much of an act made in the thirty-ſecond year of the reign of his preſent Majeſty, as relates to the aſcertaining the average price of ſugar, and regulating the allowance of drawbacks on the exportation thereof; and for allowing, until the fifth day of *May* one thouſand eight hundred, certain drawbacks on ſugars exported.

An act to extend the period limited by an act of the laſt ſeſſion of Parliament for the benefit of preference to certain bodies, companies, and perſons, in contracting for the redemption of land-tax, until the twenty-fifth day of *March* one thouſand eight hundred.

An act to prohibit, until the firſt day of *March* one thouſand eight hundred, the making of low wines or ſpirits, from wheat, barley, malt, or any other ſort of grain, or from any meal, flour, or bran, in that part of *Great Britain* called *Scotland*.

An act to continue until the twentieth day of *February* one thouſand eight hundred, ſeveral laws relating to the prevention and puniſhment of attempts to ſeduce perſons ſerving in his Majeſty's forces; to the empowering his Majeſty to accept the ſervices of ſuch parts of the militia of this kingdom as may offer to ſerve in *Ireland*; to the admiſſion of certain articles of merchandize in neutral ſhips, and the iſſuing of orders in Council for that purpoſe; to the authorizing his Majeſty to make regulations reſpecting the trade to the *Cape of Good Hope*, to the eſtabliſhing courts of judicature in the iſland of *Newfoundland*; to the enabling his Majeſty to permit goods to be imported into this kingdom in neutral ſhips, and to continue until the thirtieth day of *September* one thouſand eight hundred; an act of the laſt ſeſſion of Parliament, for enabling his Majeſty to prohibit the exportation, and permit the importation of corn, and for allowing the importation of other articles of proviſion without payment of duty.

An act for empowering his Majeſty to ſhorten the time for the meeting of Parliament in caſes of adjournment.

February 19, 1800. An act for continuing, until the expiration of six weeks after the commencement of the next session of Parliament; an act made in the thirty-eighth year of the reign of his present Majesty, entituled "an act for empowering his Majesty for a time, to an extent to be limited, to accept the services of such parts of his militia forces in this kingdom, as may voluntarily offer themselves to be employed in Ireland."

An act for continuing until the expiration of six weeks after the commencement of the next session of Parliament, an act made in the thirty-seventh year of the reign of his present Majesty, intituled "An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience."

An act to continue, until the first day of *March* one thousand eight hundred and three, an act made in the thirty-third year of the reign of his present Majesty, for establishing courts of judicature in the island of *Newfoundland*; and to continue, until the expiration of forty days after the commencement of the next session of Parliament, several laws relating to the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose; to the authorizing his Majesty to make regulations respecting the trade to the *Cape of Good Hope*; and to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships.

Feb. 20. An act to indemnify such persons as have omitted to qualify themselves for offices and employments, and to indemnify justices of the peace or others who have omitted to register or deliver in their qualifications within the time directed by law, and for extending the time limited for those purposes until the twenty-fifth day of *December* one thousand eight hundred; to indemnify members and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them until the twenty-fifth day of *December*, one thousand eight hundred, to provide admissions duly stamped; to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors, to make and file the same on or before the first day of *Michaelmas Term* one thousand eight hundred; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose until the first day of *September*, one thousand eight hundred.

An act to prohibit, until the expiration of six weeks after the commencement of the next session of Parliament, any person or persons

persons from selling any bread which shall not have been baked a certain time.

Feb. 28. An act for further continuing, until the first day of *February* one thousand eight hundred and one, an act made in the last session of Parliament, entituled, "an act for further continuing "until the first day of *March* one thousand eight hundred, an "act made in the last session of Parliament, entituled an act to "empower his Majesty to secure and detain such persons as his "Majesty shall suspect are conspiring against his person and go"vernment."

An act to continue, until the first day of *February* one thousand eight hundred and one, an act made in this present session of Parliament, to prohibit the making of low wines or spirits from wheat, flour, or bran, in that part of *Great Britain* called *Scotland*.

March 10. An act for raising the sum of twenty millions five hundred thousand pounds by way of annuities.

An act for granting to his Majesty additional duties of excise on *British* and foreign spirits and tea.

An act for the regulation of his Majesty's marine forces while on shore.

An act for altering, amending, and rendering more effectual, an act made in the twenty-first year of the reign of King *George* the second, intituled "an act for draining and preserving certain "fens lands in the several parishes of *Mepey*, *Upwell*, *Welney*, "*Downham*, *Witcham*, in a certain extra-parochial place in *Ryal*-"*Fen*, within the Isle of *Ely* and County of *Cambridge*."

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term and altering and enlarging the powers of two acts passed in the twenty-sixth year of his late Majesty, and in the nineteenth year of his present Majesty, for repairing the road from the borough of *Leicester* in the county of *Leicester*, to the town of *Abbey de la Zouche* in the said county.

An act for more effectually repairing, widening, and improving the roads from the borough of *Leicester*, in the county of *Leicester*, to the town of *Narborough*, and from the said borough of *Leicester* to the town of *Earl Shilton*, and from the said town of *Earl Shilton* to the town of *Hinckley* in the said county.

March 25. An act for granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the Governor and Company of the Bank of *England*, to be by them placed to the account of the Commissioners for the reduction of the national debt.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

An act to prohibit, until the first day of *October*, one thousand eight hundred, the use of wheat in making starch.

An act for continuing, for a further term of twenty-one years, and from thence to the end of the then next session of Parlia-

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ment the term of two acts, one made in the twelfth and the other in the twenty-fifth year of the reign of his present Majesty, for clearing, deepening, repairing, maintaining, and improving the haven and piers of Great Yarmouth, and for deepening and making more navigable, the several rivers emptying themselves into the said haven, and preserving ships wintering therein, from accidents by fire; and also for building a new bridge over the haven of *Great Yarmouth*; and for altering and enlarging the powers thereof, so far as the same relate to the said haven and piers.

An act for dividing, allotting, and enclosing the commons and waste grounds within the parishes of *Candley* and *Hethersham*, in the county of *Norfolk*, and for draining and preserving the same, and also certain marsh lands within the said parishes.

An act for continuing, for the term of twenty-one years, and from thence to the end of the then next session of Parliament, and for altering and enlarging the powers of two acts, one made in the thirty-first year of the reign of his late Majesty King *George* the second, and the other in the seventeenth year of the reign of his present Majesty, for repairing the high road leading from *Brent-bridge*, in the county of *Devon*, to *Gasking-gate*, in or near the borough of *Plymouth*, in the said county.

An act for more effectually amending, widening, improving, and keeping in repair, several roads leading from the town of *Evelchester*, in the county of *Somerset*.

An act for increasing the tolls authorized to be taken on the road leading from *Seven Oaks* common to the market-house in *Tunbridge* town, by an act passed in the thirty-third year of the reign of his present Majesty, for repairing the road leading from *Seven Oaks* common to *Woodsgate*, *Tunbridge-Wells*, and *Kipping's-Cross*, in the county of *Kent*, and from *Tunbridge-Wells* to *Woodsgate*, aforesaid.

An act to continue for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and alter the powers of two acts made in the thirtieth year of the reign of his late Majesty, and the fifth year of the reign of his present Majesty, for amending the roads leading from the village of *Milford*, in the county of *Surry*, through *Petworth*, to the top of *Duncton-Hill*, and from *Petworth* to *Stopham-Bridge*, in the county of *Sussex*.

March 29. An act for establishing an agreement with the Governor and Company of the Bank of *England*, for advancing the sum of three millions towards the supply for the service of the year one thousand eight hundred.

April 4. An act for extending, from the 25th day of *March* one thousand eight hundred, until the 25th day of *March* one thousand eight hundred and one, the period of preference granted, and continued by several acts, to bodies corporate, and persons, for the redemption of land tax, and for enlarging several of the powers contained in the said acts.

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An act for granting bounties on the importation of wheat, wheaten flour, and rice, until the first day of *October*, one thousand eight hundred.

An act for the appointment and regulation of pilots for the conducting of ships and vessels into and out of the port of *Kingston upon Hull*, and for ascertaining the salvage for anchors, cables, and other ships materials found in the river *Humber*; and for the better ascertaining the tonnage of ballast lighters, employed in the said port.

An act for opening and making two new streets in the city of *Aberdeen*.

An act for more effectually repairing the road from *Summerrod's Bar*, near the town of *Hexham*, in the county of *Northumberland*, to the town of *Alston*, in the county of *Cumberland*.

An act for continuing for twenty-one years and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of two acts passed in the thirty-third year of the reign of his late Majesty King *George* the second, and in the seventeenth year of the reign of his present Majesty, for diverting, altering, widening, repairing, and amending the roads from the town of *Halifax*, and from *Sowerby-Bridge*, in the county of *York*, by *Todmorden*, to *Burnley* and *Littleborough*, in the county of *Lancaster*.

An act for more effectually repairing the road from *Greenhill*, through *Halfwhistle*, *Hexham*, and *Corbridge*, to the military road near *Shildon-Bar*; and for making and repairing a branch road from *Corbridge* aforesaid, to *Hoddon, on the Wall*, all in the county of *Northumberland*.

An act for more effectually repairing, widening, and improving the road from the village of *Magor* to the bridge foot to the town of *Chepstow*, in the county of *Monmouth*, and several other roads in the counties of *Monmouth*, *Gloucester*, *Hereford*, and *Brecon*, to continue in force for twenty-one years, and from thence to the end of the then next session of Parliament.

An act for amending, altering, improving, and keeping in repair, the road leading from the turnpike road in *Witney* to the turnpike road on *Swerford-Heath*; and also the road leading from the turnpike road from *Woodstock* to *Birmingham*, through *Chapel-bury*, to the turnpike road from *Chipping-Norton* to *Burford*, all in the county of *Oxford*.

April 24. An act for appointing Commissioners to put in execution an act of this session of Parliament, intituled "An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in *England*, *Wales*, and the town of *Berwick upon Tweed*; and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred, together with those named in two former acts for appointing commissioners of the land tax.

An act for indemnifying persons serving in the volunteer corps who

who have omitted to take out certificates for wearing hair powder; and to amend ſo much of an act made in the thirty-fifth year of the reign of his preſent Majeſty, intituled, "an act for "granting to his Majeſty a duty on certificates iſſued for uſing "hair-powder," as relates to the exempting perſons ſerving in volunteer corps, and certain officers in his Majeſty's navy, ſerving on the eſtabliſhment of the royal hoſpital at Greenwich, from the ſaid duty, and for obliging perſons claiming to be exempt from the duties on horſes provided and furniſhed for volunteer corps, to deliver certificates thereof to the proper officers.

An act for making and repairing the road from the town of *Stonehaven* through the *Slug-mount* to the new bridge over the river *Dee*, at *Cobliburgh*, in the county of *Kincardine*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts made in the thirty-ſecond year of the reign of his late Majeſty King *George* the ſecond, and in the eighteenth year of the reign of his preſent Majeſty, for repairing the road from *Wakefield* to *Auſterlands* in the weſt riding of the county of *York*.

An act to continue for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and alter and enlarge the power of an act made in the twenty-ninth year of the reign of his preſent Majeſty, for amending, widening, turning, varying, altering, and keeping in repair, ſeveral roads therein mentioned in the county palatine of *Lancaſter*, ſo far as the ſame relates to the road from *Haſſingden* to *Todmorden*, being the ſecond diſtrict of the ſaid roads, and for making and maintaining a branch therefrom, at or near a place called *Feaſur* in *Wolſendenbooth* to *Edgeſide* in the ſame booth, and another branch therefrom, at or near a place called *Robert's-Mill* in *Becap Booth*, into the *Rochdale* turnpike road in the pariſh of *Spotland*, all in the ſaid county palatine of *Lancaſter*.

An act for more effectually repairing the road from *Alnmouth* through *Alnwick* and *Rothbury* to *Hexham*, and a branch from the ſaid road between *Alnwick* and *Rothbury*, to *Jockey's Dike Bridge*, in the county of *Northumberland*.

May 1. An act to enable the Lords Commiſſioners of his Majeſty's treaſury to iſſue exchequer bills to a limited amount on the credit of ſuch aids or ſupplies as have been or ſhall be granted by Parliament, for the ſervice of the year one thouſand eight hundred; and to enable the Governor and Company of the bank of *England*, to advance caſh or bullion to be remitted abroad, on account of foreign ſubſidies or ſervices abroad.

An act for granting a bounty on the importation of oats until the firſt day of *October* one thouſand eight hundred.

An act to enable courts of equity to compel a tranſfer of ſtock in ſuits without making the Governor and Company of the bank of *England*, or the United Company of Merchants of *England*, trading

trading to the *East Indies*, or the Governor and Company of Merchants of *Great Britain*, trading to the *South Seas*, or other parts of *America*, party thereto.

An act to permit the importation of goods and commodities from countries in *America* belonging to any foreign *European* ſovereign or ſtate in neutral ſhips, until the twenty-ninth day of *September*, one thouſand eight hundred and one.

An act for dividing, allotting, incloſing, draining, and preſerving the open fields, commons, fens, and waſte grounds, within the pariſh of *Ludham* in the county of *Norfolk*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts, paſſed for widening and repairing the high road leading from *Heron Syke*, which divides the counties of *Lancaſter* and *Weſtmoreland*, to the town of *Kirkby in Kendal*, and from the ſaid town of *Kirkby in Kendal*, through the town of *Shap* to *Emont Bridge* in the ſaid county of *Weſtmoreland*.

May 16. An act for repealing ſo much of an act made in the laſt ſeſſion of Parliament, intituled "an act for permitting cer- "tain goods imported from the *Eaſt Indies* to be warehouſed, and "for repealing the duties now payable thereon, and for granting "other duties in lieu thereof," as relates to ſalt-petre.

An act for defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, from the twenty-fifth day of *March*, one thouſand eight hundred.

An act to enlarge the powers of the directors and guardians of the poor, within the ſeveral hundreds, towns, and diſtricts in that part of *Great Britain* called *England*, incorporated by divers acts of Parliament, for the purpoſe of the better maintenance and employment of the poor, as to the aſſeſſments to be made upon the ſeveral pariſhes, hamlets, and places therein mentioned, until the firſt day of *January* one thouſand eight hundred and two.

An act for increaſing the rates of ſubſiſtence to be paid to innkeepers and others on quartering ſoldiers.

An act for explaining and amending ſeveral acts made in the thirty-ſecond year of King *Henry* the eighth, and the firſt, thirteenth, and fourteenth years of the reign of Queen *Elizabeth*, ſo far as reſpects leaſes granted by archbiſhops, biſhops, maſters and fellows of colleges, deans and chapters of cathedral and collegiate churches, maſters and guardians of hoſpitals, and others, having any ſpiritual or eccleſiaſtical living or promotion.

An act for the better obſervance of *Good-Friday*, in certain caſes therein mentioned.

An act for making and maintaining a navigable canal from the river *Thames*, near to the town of *Gravesend* in the county of *Kent*, to the river *Medway*, at a place called *Nicholſon's Ship Yard*, in the pariſh of *Frinſbury*, in the ſaid county; and alſo a certain

collateral cut, from *White Wall* in the ſaid parish, to the ſaid river *Medway*.

An act for amending the ſeveral acts paſſed for making, extending, finiſhing, and completing the canal navigation from *Manchester* to or near *Aſhton under Lyne* and *Oldham*, and the ſeveral cuts and other works authorized to be made and done by the company of proprietors of the ſaid canal navigation, and for granting to the ſaid company further and other powers.

An act for lighting the ſtreets and lanes of the borough of *Berwick upon Tweed*, and the quays and wharfs belonging to the ſaid borough, and that part of the bridge over the river *Tweed*, which lies within the liberties of the ſaid borough; and alſo the ſtreet of *Caſtlegate* within the ſaid borough, or the liberties thereof; and for paving the footpaths of the ſtreets of the ſaid borough, and of *Caſtlegate* aforeſaid, and for preventing obſtructions, nuiſances, and annoyances therein.

An act to alter, explain, amend, and render more effectual an act paſſed in the twenty-ninth year of the reign of his late Majeſty King *George* the ſecond, entitled "an act for draining and "preſerving certain fen lands in the *Iſle of Ely*, and county of "*Norfolk*, lying between the hundred foot river and the *Ouze*, "and bounded on the ſouth by the hard lands of *Mepall*, *Wi-* "*cham*, *Wentworth*, *Wickford*, *Ely*, *Downham*, and *Littleport*; and "for empowering the governor, bailiffs, and commonalty of the "company of conſervators, of the great level of the fens, com- "monly called *Bedford Level*, to ſell certain lands lying within "the limits aforeſaid, commonly called inveſted lands."

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts paſſed in the thirty-firſt year of the reign of his late Majeſty King *George* the ſecond, and in the nineteenth year of the reign of his preſent Majeſty, for repairing and widening the road from the *Swan* inn, at *Leatherhead*, to the May-pole and the upper end of *Spital* or *Somerſet-ſtreet*, in the pariſh of *Stoke*, near the town of *Guildford*, in the county of *Surrey*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term and altering and enlarging the powers of two acts, paſſed in the thirty-firſt year of the reign of his late Majeſty King *George* the ſecond, and the tenth year of the reign of his preſent Majeſty, for repairing ſeveral roads in the counties of *Dorſet* and *Devon*, leading to and through the borough of *Lyme Regis*, and from the turnpike-road on *Uplym's Hill*, to the turnpike-road at the *Three Aſhes*, in the pariſh of *Crewkerne*, in the county of *Somerſet*, and other roads therein mentioned.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term and altering and enlarging the powers of two acts, made in the twenty-

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ninth year of the reign of his late Majesty King *George* the second, and the twentieth year of the reign of his present Majesty, so far as the same relate to repairing and widening the road from the borough of *Ripon* by *Ingram Bank*, to the town of *Ratley Bridge*, in the county of *York*.

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of an act, passed in the twenty-first year of the reign of his present Majesty, intituled, "an act "for more effectually repairing the road leading from the town of "*Denbeigh* to the town of *Saint Asaph*, and from thence to the "town and port of *Rutbland*, in the counties of *Denbeigh* and "*Flint*, and for repealing an act made in the thirty-second year "of his late Majesty King *George* the second, so far as the same "relates to the said road."

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering the powers of two acts, passed in the thirtieth year of the reign of his late Majesty King *George* the second, and in the nineteenth year of the reign of his present Majesty, for amending, widening, and keeping in repair, several roads therein mentioned, so far as the said acts relate to the road leading from the town of *Wrexham* in the county of *Denbeigh*, to *Pentic Bridge* in the county of *Flint*.

May 30, 1800. An act to repeal the duties on sugar and coffee exported, granted by an act passed in the thirty-ninth year of his Majesty's reign, for allowing *British* plantation sugar to be warehoused; for reviving so much of an act, made in the thirty-second year of the reign of his present Majesty, as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing certain drawbacks on sugar exported, until the tenth day of *May*, one thousand eight hundred and one.

An act for repealing the rates and fares taken by licensed hackney coachmen, and for establishing other rates and fares in lieu thereof; and for explaining and amending several laws relating to hackney coaches and chairs.

An act to confirm an agreement entered into between the commissioners of his Majesty's Treasury and the most noble *Charles* Duke of *Richmond*, in pursuance of an act, passed in the thirty-ninth year of the reign of his present Majesty, entitled, "an act "to enable the Commissioners of the Treasury to contract with "the most noble *Charles* Duke of *Richmond*, for the absolute pur-"chase of the property of the said Duke, and of all others inte-"rested in a certain duty of twelve-pence per chaldron on coals "shipped in the river *Tyne*, to be consumed in *England*, and to "grant a compensation for the same, by way of annuity, payable "out of the Consolidated Fund."

An act for granting, until the twenty-fifth of *March*, one thou-

ſand eight hundred and one, certain allowances to adjutants, ſerjeant-majors, and ſerjeants of militia, diſembodied, under an act of this ſeſſion of Parliament, entitled, "an act for enabling his "Majeſty to accept the ſervices of an additional number of volun-"teers from the militia, under certain reſtrictions."

An act for making perpetual ſo much of an act, made in the thirty-fifth year of the reign of his preſent Majeſty, for better ſecuring the duties on glaſs, as was to continue in force for a limited time; and to continue ſeveral laws relating to the granting a bounty upon certain ſpecies of *Britiſh* and *Iriſh* linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, until the twenty-fourth day of *June*, one thouſand eight hundred and one; to the better encouragement of the making of ſail cloth in *Great Britain*, to the encouraging the manufacture of *Britiſh* ſail cloth, and ſecuring the duties on foreign-made ſail cloth imported; to the ſecuring the duties upon foreign-made ſail cloth, and charging foreign-made ſails with a duty, until the twenty-ninth day of *September*, one thouſand eight hundred and four, and from thence to the end of the then next ſeſſion of Parliament, to the regulating the fees of the officers of the Cuſtoms, and of the naval officers, officers in the *Britiſh* colonies in *America*, and of the officers of the Cuſtoms in the Iſland of *Newfoundland*; until the ninth day of *May*, one thouſand eight hundred and four, and from thence to the end of the then next ſeſſion of Parliament; to the landing rum or ſpirits, of the *Britiſh* ſugar plantations, before payment of the duties of exciſe, until the twenty-ninth day of *September*, one thouſand eight hundred and five, and from thence to the end of the then next ſeſſion of Parliament; to the encouraging the fiſheries carried on at *Newfoundland*, and parts adjacent from *Great Britain*, *Ireland*, and the *Britiſh* dominions in *Europe*, until the firſt day of *January*, one thouſand eight hundred and two; and to the further ſupport and encouragement of the fiſheries carried on in the *Greenland Seas* and *Davis's Streights*, until the twenty-fifth day of *December*, one thouſand eight hundred and one.

An act for the more eaſy and expeditious recovery of ſmall debts, and determining ſmall cauſes in that part of *Great Britain* called *Scotland*.

An act for the better relief and employment of the poor of the pariſh of *Saint John*, *Hampſtead*, in the county of *Middleſex*.

An act for the better enabling the company of proprietors of the *Rochdale* canal to raiſe money for completing the ſaid canal, and to vary the line of the ſaid canal, and to alter, explain, and amend the act paſſed in the thirty-fourth year of the reign of his preſent Majeſty for making the ſaid canal.

An act to enable the *Dearne* and *Dover* canal company to finiſh and complete the ſaid canal, and the ſeveral collateral cuts branching therefrom; and for enabling, amending, and enlarging the powers of an act, paſſed in the thirty-third year of the reign of his preſent

preſent Majeſty, for making and maintaining the ſaid canal and collateral cuts, and for increaſing the tolls thereby granted.

An act for altering and amending an act, paſſed in the thirty-fourth year of the reign of his preſent Majeſty, for making and maintaining the *Peake Foreſt* canal, and for granting to the company of proprietors of the ſaid canal further and other powers.

An act for enabling the *Huddersfield* canal company to finiſh and complete the *Huddersfield* canal, and for amending the act paſſed in the thirty-fourth year of the reign of his preſent Majeſty, for making and maintaining the ſaid *Huddersfield* canal.

An act for amending and making more effectual an act, paſſed in the twelfth year of the reign of his preſent Majeſty, for embanking, draining, and preſerving certain fen lands and low grounds, in the pariſh of *Ramſey*, in the county of *Huntingdon*, and in the pariſhes of *Doddington*, *March*, *Benwick*, *Wimblington*, and *Chatteris*, within the Iſle of *Ely*, in the county of *Cambridge*, and for amending the road from a certain bridge in the pariſh of *Chatteris* aforeſaid, called *Carter's Bridge*, by a drain called *Vermuyden's* or the *Forty Feet* drain, to a bridge called the *Forty Feet Bridge*, in the ſaid pariſh of *Ramſey*, ſo far as the ſaid act relates to embanking the lands therein deſcribed, called by the name of *The Upper Diſtrict* or diviſion.

An act for draining, improving and preſerving the low lands and grounds within the townſhips of *Croſton*, *Mawdeſley*, *Ruffard*, *Biſpham*, *Tarleton*, and *Bretherton*, in the county palatine of *Lancaſter*.

An act for continuing for twenty-one years, and from thence to the end of the next ſeſſion of Parliament, the term, and altering and enlarging the powers of an act, paſſed in the eighteenth year of the reign of his preſent Majeſty, for building a bridge acroſs the river *Tawey*, at a place called *The Watch Tree*, in the pariſh of *Llanſamlets* to the oppoſite ſhore, in the pariſh of *Llangefelach*, in the county of *Glamorgan*, for making proper avenues or roads to and from the ſaid bridge, and alſo for repairing and widening the road from *Pentre Brook*, near a place called *Aberdaybertby*, in the pariſh of *Saint John's*, near *Swanſea*, to the ſaid intended bridge.

An act for raiſing the further ſum of money for carrying into execution two ſeveral acts paſſed in the thirty-fifth and thirty-eighth years of the reign of his preſent Majeſty, for widening and improving the entrance into the city of *London*, near *Temple Bar*, for making a more commodious ſtreet or paſſage at *Snow-hill*, and for raiſing on the credit of the orphan's fund, a ſum of money for thoſe purpoſes; and for explaining and amending the ſaid acts.

An act for enlarging the powers of ſo much of two acts made in the twenty-ninth and thirty-third years of the reign of his preſent Majeſty, for making and repairing certain roads in the county of *Perth*, as relates to the road from *Perth* to *Cupar*, or the neighbourhood

bourhood thereof, towards *Glannies*, as far as the confines of the ſaid county.

An act for repealing an act paſſed in the thirty-fifth year of his preſent Majeſty's reign, entitled, "An act for making and repairing certain roads in the county of *Aberdeen*," and for the more effectually amending, widening, repairing, and keeping in repair the ſaid roads, and other roads in the ſaid county, and for levying a converſion money in lieu of the ſtatute labour, and otherwiſe regulating the making and repairing the high roads and bridges in the ſaid county.

An act for making and maintaining a road from, or from near *Light Pile Gate*, on the road leading from *Bath* to *Dudbridge*, in the pariſh of *Rodborough*, to join the turnpike road from *Painſwick* to *Cheltenham*, at or near to *Birdlip*, in the pariſhes of *Brimpoſield* and *Cowley*, or one of them, all in the county of *Glouceſter*.

An act for ſhutting up and diſcontinuing certain roads and foot-paths leading through the grounds of Sir *Richard Brook*, Baronet, in the townſhips of *Norton Halton*, in the pariſh of *Runcorn*, and county palatine of *Cheſter*, and for making and maintaining other roads inſtead thereof.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering, and enlarging the powers of two acts made in the thirty-ſecond year of the reign of his late Majeſty King *George* the ſecond, and in the twentieth year of the reign of his preſent Majeſty, for repairing and widening the roads from *Chapel Bar*, near the weſt end of the town of *Nottingham* to *Newhaven*, and from the *Four Lane ends*, near *Oakenthorpe* to *Aſhborne*, and from the croſs poſt on *Winkworth Moor*, to join the road leading from *Cheſterfield* to *Chapel* on the *Frith*, at or near *Longſton*, in the county of *Derby*, and from *Salſton* to *Anneſley*, *Woodhouſe*, in the county of *Nottingham*.

An act for more effectually repairing, widening, altering, and improving, the road from a place called *The Stone Pillar*, or *Creſt Hand*, in the pariſh of *Chippenham*, in the county of *Wilts*, to, or near to a bridge, called *Knox-bridge*, in the pariſh of *Weſtarleigh*, in the county of *Glouceſter*; and ſeveral other roads therein mentioned in the ſaid counties of *Wilts* and *Glouceſter*.

An act for enabling truſtees to enfranchiſe copyhold meſſuages or tenements in the manor of *Brightbelmſtone*, in the county of Suſſex, and to grant leaſes of certain other tenements within the ſaid manor, deviſed by the will of the late *Charles Scraſe*, Eſquire, deceaſed.

June 20, 1800. An act for granting to his Majeſty a certain ſum of money to be raiſed by a lottery.

An act for the better aſcertaining and collecting the duties granted by ſeveral acts paſſed in the laſt ſeſſion of Parliament, relating to the duties on income, and to explain and amend the ſaid acts.

An

An act for granting a bounty on the importation of rye, until the fifteenth day of *October*, one thousand eight hundred and one.

An act to permit blubber from the *Greenland* fishery and *Davis's Streights*, to be boiled into oil, after the arrival of the ships from the fishery, and for charging the duty thereon, for altering the convoy duty now payable on the importation of opium; for repealing the duties on the importation of oil of turpentine and tar, and charging other duties in lieu thereof; for exempting burr stones, and stones used for the purpose of paving, or the making or mending of roads from the duties charged thereon when carried coastwise; for obliging masters of ships laden with tobacco, to remove the same from their moorings, when their cargoes are discharged, and for extending bonds given on licensing ships, vessels or boats, to all cases wherein ships, vessels or boats, may be liable to forfeiture.

An act for more effectually charging public accountants with the payment of interest, for allowing interest to them in certain cases, and for compelling the payment of balances due from them.

An act to amend so much of an act made in the last session of Parliament, for the augmentation of the salaries of the judges of the courts in *Westminster Hall*, and also of the lords of session, lord commissioners of justiciary, and barons of exchequer in *Scotland*, as relates to the salaries of the judges of the courts of session, justiciary, and exchequer in *Scotland*.

An act to extend the provisions of an act made in the seventeenth year of the reign of King *George* the second, intituled, "an act to "amend and make more effectual the laws relating to rogues, "vagabonds, and other idle and disorderly persons, and to houses "of correction."

An act for enabling the barons of the court of exchequer in *Scotland*, to advance to the Lord Provost, and magistrates of the city of *Edinburgh*, for the purpose of completing the improvements of the harbour of *Leith*, a certain sum, being part of the money which, by an act of the last session of Parliament, was directed to be paid into the said court of exchequer, by the proprietors of the *Forth* and *Clyde* navigation, for the relief of persons entitled to entailed estates, to be purchased with trust monies.

An act for making wet docks, basons, cuts, and other works, for the greater accommodation and security of shipping commerce and revenue within the port of *London*.

An act for providing a workhouse for the use of the parish of *Aldbourne*, in the county of *Wilts*, and for appointing an additional overseer for the better government of the poor of the said parish.

An act for forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair the streets, squares, and other public passages and places which are and shall be made upon certain pieces or plots of ground in the parish

parish of *Saint Pancras*, in the county of *Middlesex*, belonging to the most noble *Francis* Duke of *Bedford*.

An act for repairing the parish church of *Chelmsford*, in the county of *Essex*.

An act for enclosing and embellishing the centre or area of a certain square, intended to be called Ruffel square, purposed to be made in the parish of *Saint George*, *Bloomsbury*, in the county of *Middlesex*, and for forming and making the same into a pleasure-ground, and for continuing and keeping the same in repair.

An act for explaining, amending, and continuing an act made in the fifteenth year of the reign of his present Majesty, entitled, "an act for repairing the high ways and bridges in the shire of "*Argyle*."

An act for repealing so much of an act passed in the twenty-fifth year of the reign of his present Majesty, entitled, "an act for "the removal and re-building of the council chamber, guildhall, "and gaol, of the city of *New Sarum*, and for ascertaining the "tolls of the market, and regulating the chairmen within the said "city," as requires the mayor and commonalty of the city of *New Sarum* to build a new gaol within the said city, or suburbs, or precincts thereof, and for authorizing the commitment of felons and other persons within the limits of the said city and the close thereof, to the gaol of the county of *Wilts*, and for explaining and amending the said act.

An act to alter, amend, and enlarge the powers of an act passed in the thirty-first year of the reign of his present Majesty, King *George* the third, for improving the navigation of the river *Ouse*, between *Newhaven-bridge* and *Lewis-bridge*, in the county of *Sussex*, and for the better draining the low lands, lying in *Lewis* and *Laughton Levels*, in the said county.

An act for enabling the company of proprietors of the navigation from the *Leicester* navigation to *Melton Mowbray*, in the county of *Leicester*, to complete their navigation, and to discharge the debts contracted by them, in the making thereof, and for amending the act passed in the thirty-first year of the reign of his present Majesty, for making and maintaining the said navigation.

An act to enable the company of proprietors of the *Oakham* canal to raise money for completing the said canal, and also for altering and amending an act passed in the thirty-third year of the reign of his present Majesty, for making the said canal.

An act for better enabling the company of proprietors of the *Lancaster* canal navigation to complete the same.

An act for dividing, allotting, and enclosing the common fields, marsh, meadows, and waste lands, in the manor of *Forebridge*, and in the parish of *Castle Church*, in the county of *Stafford*, and for embanking and draining part of the said common fields, marsh, meadows, and waste lands, and certain other low lands and grounds in the said parish, and the adjoining parishes, townships, and

and places of *Soth Saint Thomas*, otherwiſe *Saint Thomas upon South Cotor*, *Berkſwick*, and *Saint Mary*, in *Stafford*, in the ſaid county of *Stafford*.

An act for building a new bridge over the river *Chelmer*, or *Black Water*, at *Fullbridge*, in the town of *Maldon*, in the county of *Eſſex*.

An act for eſtabliſhing and well-governing the charitable inſtitution, commonly called *The Aſylum*, or houſe of refuge, for the reception of orphan girls, the ſettlements of whoſe parents cannot be found, and for incorporating the ſubſcribers thereto, and for the better impowering and enabling them to carry on their charitable and uſeful deſigns.

An act for repealing two acts, one made in the twenty-ſixth year of the reign of King *George* the ſecond, and the other in the ſeventeenth year of the reign of his preſent Majeſty, for repairing the road from the *Half-way Houſe*, in the pariſh of *Lower Compton*, in the county of *Dorſet*, through the towns of *Yeovil*, *Crewkherne*, and *Chard*, to the eaſt end of the town of *Axminſter*, in the county of *Devon*, and ſeveral other roads therein mentioned; and alſo for repealing ſo much of an act made in the eighteenth year of the reign of his preſent Majeſty, for repairing ſeveral roads leading from *Taunton*, in the county of *Somerſet*, as relates to repairing the road from the direction poſt in *Widcombe Moor* through *Street Aſh-lane*, to *Charde*, and for making more effectual proviſion for thoſe purpoſes, and for altering and diverting certain parts of the ſaid roads.

An act for reviving, continuing, and amending, an act paſſed in the ſixteenth year of the reign of his preſent Majeſty, for repairing the road from *Elſdon High-Croſs*, near the town of *Elſdon*, in the county of *Northumberland*, to the *Red Swyre*, upon the *Mid-Border* betwixt *England* and *Scotland*.

An act for continuing the term, and enlarging the powers of an act paſſed in the twenty-firſt year of the reign of his preſent Majeſty, for repairing and widening the road leading from the port of *Borrowſtounneſs* by the weſt of the borough of *Linlithgow*, and by the towns of *Torpichen*, *Bathgate*, and *Whiteburn*, and from thence ſouthward to the confines of the county of *Linlithgow*, at or near *Hollhouſeburn*.

An act to continue for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and alter and enlarge the powers of two acts, paſſed in the thirty-third year of the reign of his late Majeſty, King *George* the ſecond, and in the eighteenth year of the reign of his preſent Majeſty, for repairing and widening the road from the bars at *Boughton*, within the liberties of the cities of *Cheſter* to *Whitchurch*, and from thence to *Newport*, in the county of *Salop*, and ſeveral other roads therein mentioned, ſo far as the ſaid acts relate to the road leading from *Newport* aforeſaid, to the village or place called *Welſh Harp*, in the

township of *Stonnall*, in the county of *Stafford*, being the third district of the ſaid roads.

An act for more effectually repairing, widening, altering, and improving the roads therein mentioned, leading from the town of *Leominſter*, in the county of *Hereford*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts paſſed in the thirtieth year of the reign of his late Majeſty King *George* the ſecond, and in the nineteenth year of the reign of his preſent Majeſty, for amending, widening, and keeping in repair ſeveral roads therein mentioned, ſo far as the ſaid acts relate to the road leading from the town of *Ruthin*, in the county of *Denbigh*, to the town of *Mold*, in the county of *Flint*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of ſeveral acts paſſed for amending the highway between *Hockliffe* and *Woburn*, in the county of *Bedford*, and for repairing the road leading through *Woburn* to *Tickford-bridge* in *Newport Pagnell*, in the county of *Bucks*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts paſſed in the twenty-ninth year of the reign of his late Majeſty King *George* the ſecond, and in the eighteenth year of the reign of his preſent Majeſty, for amending, repairing, and widening the roads leading from the *Ryeway*, in the pariſh of *Yarpole*, in the county of *Hereford*, to *Preſteigne*, in the county of *Radnor*, and ſeveral other roads therein mentioned, in the ſaid county of *Radnor*, and in the counties of *Hereford* and *Salop*.

An act for enlarging the term and powers of an act made in the ſeventeenth year of his preſent Majeſty's reign, for amending and keeping in repair the road from the town of *Warminſter*, in the county of *Wilts*, to a place where the roads to *Bath* and *Briſtol* divide, and from the town of *Frome*, to the town of *Beckington*, in the county of *Somerſet*, and other roads therein mentioned.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts paſſed in the twenty-ninth year of the reign of his late Majeſty King *George* the ſecond, and in the ſixteenth year of the reign of his preſent Majeſty, for repairing and widening the road leading from the eaſt ſide of *Lincoln Heath*, to the city of *Peterborough*, and ſeveral other roads therein mentioned, in the counties of *Northampton* and *Lincoln*.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering and enlarging the powers of two acts paſſed in the twenty-ſixth year of the reign of his late Majeſty King *George* the ſecond, and in the fourteenth year of the reign of his preſent Majeſty, for repairing

repairing and widening ſeveral roads leading from the town of *Bewdley*, in the county of *Worceſter*, to the ſeveral places therein mentioned, in the counties of *Worceſter* and *Salop* reſpectively.

An act to continue for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term, and altering, and enlarging the powers of two acts, paſſed in the thirtieth year of the reign of his late Majeſty King *George* the ſecond, and in the fifth year of the reign of his preſent Majeſty, for repairing and widening the roads leading from *Spalding* High-bridge, through *Littleworth*, and by *Frognall*, and over *James Deeping* Stone-bridge, in the county of *Lincoln*, to *Maxey Outgang*, in the county of *Northampton*, adjoining to the high road there.

An act for amending, widening, improving, and keeping in repair, the road leading out of the common high-way from *Wigan*, to *Golborn* and *Warrington*, near the northerly end of the Southerly Plat's-bridge, in *Ince* in *Mackerfield*, by *Ramſerlong*, into the turnpike-road from *Wigan* to *Aſhton*, in *Aſhton* in *Mackerfield*, in the county palatine of *Lancaſter*.

An act for amending, widening, improving, and keeping in repair, the road leading from the ſouth end of the *Moor-lane*, in the townſhip of *Great Bolton*, into the turnpike-road from *Manchester* to *Wigan*, near *Weſthoughton Chapel*, in the county palatine of *Lancaſter*.

An act for continuing the term, and altering and enlarging the powers of two acts, paſſed in the thirty-firſt year of the reign of his late Majeſty King *George* the ſecond, and in the twentieth year of the reign of his preſent Majeſty, ſo far as the ſame relate to ſuch of the roads from *Tetbury*, and other places in the county of *Glouceſter* as are compriſed in the ſaid laſt mentioned act, and for amending and repairing certain other roads in and through the pariſh of *Horſley*, and near *Tetbury* aforeſaid, in the ſaid county of *Glouceſter*.

An act for continuing the term, and altering and enlarging the powers of an act, paſſed in the nineteenth year of his preſent Majeſty's reign, for amending the road from the nine mile ſtone on the *Briſtol* road, at or near a place called *The Clay Pitts*, to or near the Chapel at *Stone*, and alſo the roads to or near *Berkeley*, *Durſley*, *Wotton-under-Edge*, *Stroud*, and *Sodbury*, and ſeveral other roads in the counties of *Glouceſter* and *Wilts*, except ſo far as the ſaid act relates to the roads to or near *Sodbury* aforeſaid.

An act to empower the guardians of the moſt noble *Henry*, Duke of *Newcaſtle*, an infant, to grant leaſes of certain parts of his eſtates in the county of *Nottingham*.

An act for veſting certain detached parts of the eſtates deviſed by the will of *Michael Hicks*, Eſquire, in the counties of *Eſſex*, *Norfolk*, *Suffolk*, and *Glouceſter*, and in *London*, in truſtees, for carrying into execution certain agreements for ſale of parts thereof, and to ſell the other parts thereof, and to apply the money ariſing

from ſuch ſales in the purchaſe of other eſtates, in the ſaid county of *Glouceſter*, to be ſettled to the ſame uſes.

An act for veſting the eſtates of *Penyſton Portlock Powney*, Eſquire, deceaſed, ſituate in the county of *Berks*, in truſtees, to be ſold for paying incumbrances and debts, and for laying out the ſurplus under the directions of the Court of Chancery, in the purchaſe of other eſtates, to be conveyed to the truſtees of the will of the ſaid *Penyſton Portlock Powney* in lieu thereof.

An act for effecting an exchange between the Dean and Chapter of the Cathedral Church of the Holy Trinity of *Chicheſter*, and the right honourable *James* Lord *Selſey*, and the honourable *John Peachey*, of certain meſſuages, lands, and hereditaments, in the county of *Suſſex*.

An act for more effectually veſting and facilitating the raiſing of a ſum of ten thouſand pounds, which by the ſettlement of the family eſtates of the Right Honourable *George Auguſtus* Earl of *Guildford*, was provided for the portions of his younger children, in and for the benefit of the honourable Lady *Maria North*, (the only child of the ſaid Earl, by the Honourable *Maria*, Counteſs of *Guildford*, his late wife,) if ſhe ſhall live to attain the age of twenty-one years, or to be married.

An act for veſting part of the eſtates deviſed by the will of *Triſtam Huddleſtone Jervoiſe*, Eſquire, in truſtees, to be ſold, and for laying out the money to ariſe therefrom, under the direction of the Court of Chancery, in the purchaſe of other eſtates, to be ſettled in lieu thereof, and to the ſame uſes.

An act for inveſting part of the perſonal eſtate of *Robert Child*, Eſquire, deceaſed, in the purchaſe of an eſtate, ſituate near *Oſterley Park*, in the county of *Middleſex*, to be ſettled upon the truſts, and for the purpoſes therein mentioned.

An act for veſting the ſettled eſtates of Sir *Clement Cotterell Dormer*, which were deviſed by the will of *William Philips Lee*, Eſquire, in truſtees, to be ſold, and for laying out the money ariſing thereby, in the purchaſe of other eſtates, to be ſettled in lieu thereof, and to the ſame uſes, and for other purpoſes.

An act for dividing, allotting, and incloſing the commons and waſte lands, within the pariſh of *Llanfwrog*, in the county of *Denbigh*.

An act for dividing, allotting, and incloſing, the open common fields, meadows, paſtures, commons, and waſte lands, in the pariſh of *Walton upon Thames*, and the manor of *Walton Leigh*, in the county of *Surrey*.

An act for dividing, allotting, and incloſing the open common fields, meadows, and paſtures, commons and waſte lands, in the pariſhes of *Byfleet*, and *Weybridge*, and manor of *Byfleet*, with its members, in the county of *Surrey*.

June 30, 1800. An act to remove doubts ariſing from the conſtruction of an act, made in the thirty-ninth year of his preſent Majeſty's reign, intituled, "an act for permitting certain goods imported

" imported from the *Eaſt Indies* to be warehouſed, and for re-
" pealing the duties now payable thereon, and granting other du-
" ties in lieu thereof."

An act to allow for nine months after the paſſing of the act, the uſe of ſugar in the brewing of beer.

An act to revive, and continue until the firſt day of *July*, one thouſand eight hundred and one, ſuch part of an act, made in the preſent ſeſſion of Parliament, for reducing the duties upon ſpirits diſtilled from melaſſes or ſugar, or any mixture therewith, and for other purpoſes, as relates to the duties on wort, or waſh brewed or made from melaſſes or ſugar.

An act for further continuing and amending an act made in the laſt ſeſſion of Parliament, for enabling his Majeſty to prohibit the exportation, and permit the importation of corn, and for allowing the importation of other articles of proviſion without payment of duty.

An act for permitting the free importation of linſeed cakes, and rape cakes in neutral ſhips.

An act to continue until the firſt day of *January*, one thouſand eight hundred and four, ſeveral acts relating to the admiſſion of certain articles of merchandize in neutral ſhips, and to the iſſuing of orders in council for that purpoſe.

An act to repeal ſo much of an act paſſed in the ſecond year of King *James* the firſt, as prohibits the uſe of horſe hides in making boots and ſhoes, and for better preventing the damaging of raw hides and ſkins in the flaying thereof.

An act for repealing part of the duties and drawbacks of cuſtoms on kid ſkins imported, and the exemption of imported kid ſkins from exciſe duty, on being dreſſed in *Great Britain*.

An act to leſſen the duties on wine and ſpirits, the produce of the Britiſh ſettlement of the *Cape of Good Hope*, and to empower the importers to land the ſame before payment of the duties of exciſe, and to lodge the ſame in warehouſes, and to allow the ſame to be ſhipped free of duty, as ſtores to be conſumed on board merchant ſhips on their voyages.

An act for extending the royalty of the city of *Glaſgow* over certain adjacent lands; for paving, lighting, and cleanſing the ſtreets, for regulating the police, and appointing officers and watchmen; for dividing the city into wards, and appointing commiſſioners; and for raiſing funds and giving certain powers to the magiſtrates and council, and town and dean of guild courts, for the above and other purpoſes.

An act to empower the Governor and Company of the Bank of *England*, to purchaſe certain houſes and ground contiguous to the Bank of *England*, and to enable them to improve certain avenues adjacent thereto.

An act to explain and amend, and render more effectual two acts, made in the thirty-firſt year of the reign of his late Majeſty King *George* the ſecond, and the twenty-ninth year of the reign of his

his preſent Majeſty, for draining and preſerving certain fen lands and low grounds in the *Iſle of Ely*, and county of *Cambridge*, between the *Cam*, otherwiſe *Grant*, *Ouſe* and *Mildenhall* rivers, and bounded on the ſouth-eaſt by the hard lands of *Iſleham*, *Farbham*, *Soham*, and *Wicken*, and for empowering the governor, bailiffs and commonalty of the company of conſervators of the great level of the fens, called *Bedford Level*, to ſell certain lands within the ſaid limits, commonly called *Inveſted Lands*; and for laying certain rates on veſſels navigated upon the ſaid rivers, towards ſupporting the banks thereof.

An act for better draining and preſerving the lands and grounds in the fourth diſtrict of the north level of the fens, called *Bedford Level*, and for amending and rendering more effectual an act, paſſed in the twenty-ſeventh year of the reign of his late Majeſty, King *George* the ſecond, ſo far to relate to the fourth diſtrict.

An act for dividing, allotting, and incloſing certain waſte lands in the manor of *Worthen*, and the manors over the townſhips of *Aſton Pigot*, and *Aſton Rogers*, in the pariſh of *Worthen*, in the county of *Salop*, and for draining and otherwiſe improving certain incloſed lands adjoining or near a certain rivulet or brook, called *The Rea*, commencing at or near a certain piece of water, called *Marton Pool*, on the confines of the pariſh of *Chirbury*, and extending through the ſaid pariſh of *Worthen*, to a bridge acroſs the ſaid river, called *Horſe-briage*, on the confines of the pariſh of *Weſtbury* in the ſaid county, and ſundry ſtreams or brooks emptying themſelves thereinto.

An act for continuing for twenty-one years, and from thence to the end of the then next ſeſſion of Parliament, the term and altering and enlarging the powers of an act, paſſed in the ſeventeenth year of the reign of his preſent Majeſty, for more effectually amending, widening, and keeping in repair ſeveral roads leading from the market-houſe in the town of *Kidderminſter*, in the county of *Worceſter*, and ſeveral other roads therein mentioned.

An act for enlarging the term and powers of ſo much of an act paſſed in the thirty-fourth year of his preſent Majeſty's reign, for repairing ſeveral roads leading into the city of *Glaſgow*, as relates to the road from *Parkhouſe*, to or near the Three Mile Houſe, in the county of *Lanark*.

An act for more effectually amending, widening, improving, and keeping in repair, ſeveral roads leading from the *Hundred-houſe*, in the county of *Worceſter*, and alſo ſeveral other roads therein mentioned.

An act for enlarging the term and powers of an act made in the nineteenth year of the reign of his preſent Majeſty, for amending and keeping in repair the road from a certain bridge over a brook or ſtream, called *Sudbrook*, near the city of *Glouceſter*, to the nine mile ſtone on the *Briſtol* road, at or near a place, called *The Clay Pits*, in the county of *Glouceſter*.

An act for enlarging the term and powers of an act made in the

the eighteenth year of the reign of his preſent Majeſty, for repairing and widening the road from the city of *Glouceſter*, to the town of *Stroud*, in the county of *Glouceſter*.

An act for veſting part of the ſettled eſtates deviſed by the will of Sir *Patrick Blake*, Baronet, deceaſed, ſituate and being in the counties of *Middleſex* and *Suffolk*, in truſtees, to be ſold for payment of incumbrances affecting the ſame eſtates, under the direction of the Court of Chancery, and for laying out the ſurplus of the purchaſe money in other eſtates upon the truſts, and for the purpoſes therein expreſſed.

An act for veſting part of the eſtates deviſed by the will of Sir *Richard Hotham*, Knight, deceaſed, in truſtees, to be ſold for payment of incumbrances, and for laying out the ſurplus monies in other eſtates to be ſettled in lieu thereof, and to the ſame uſes.

An act for ſale of certain eſtates in the pariſhes of *Claypole*, *Great Ponton*, and *Kirton*, in the county of *Lincoln*, deviſed by the will of the Rev. *William Raſtall*, Doctor in Divinity, and for laying out the money ariſing by ſale thereof in the purchaſe of other eſtates, to be ſettled to the ſame uſes, and for other purpoſes in the ſaid act mentioned.

An act for enabling the tenants for life, under the will of the late *William Wright*, Eſquire, to convey in fee, or grant leaſes for long terms of years, for the purpoſes of building, of part of the eſtates deviſed by the ſaid will, in the counties palatine of *Cheſter* and *Lancaſter*.

July 2, 1800. An act for the union of *Great Britain* and *Ireland*.

An act to enable Sir *George Pigot*, Baronet, *Margaret Piſher*, and *Francis Pigot*, to diſpoſe of a certain diamond therein mentioned by a lottery.

An act for enabling the moſt noble *Charles*, Duke of *Richmond*, and the Duke of Richmond for the time being, to charge with jointures the annuity of nineteen thouſand pounds (payable out of the conſolidated fund, in lieu of the coal duty, granted by King *Charles* the ſecond, to *Charles*, firſt Duke of *Richmond*, and the heirs of his body, and the ſtocks on transfer of which the ſaid annuity is made redeemable, and for enabling the ſale of part of the ſaid ſtocks, and inveſting the money ariſing from any ſuch ſale, in the purchaſe of manors, lands, and hereditaments, and for other purpoſes.

July 9, 1800. An act for repealing the duties of exciſe on diſtilleries in *Scotland*, and on the exportation of Britiſh-made ſpirits from *England* to *Scotland*, and for granting other duties in lieu thereof, and for altering, amending, and continuing, certain acts of parliament for the regulation of diſtilleries in *Scotland*.

An act to amend ſeveral laws relating to the duties on ſtamped vellum, parchment and paper.

An act for extending the powers of the commiſſioners named in an act, made in this preſent ſeſſion of Parliament, intituled, "an act for appointing commiſſioners to put in execution an act

"of

" of this ſeſſion of Parliament, intituled, " *an act for continuing and* " *granting to his Majeſty a duty on penſions, offices, and perſonal eſtates,* " *in* England, Wales, *and the town of* Berwick upon Tweed, *and* " *certain duties on ſugar, malt, tobacco and ſnuff, for the ſervice of the* " *year one thouſand eight hundred,* together with thoſe named in two " former acts for appointing commiſſioners of the Land Tax;" for indemnifying ſuch perſons named in the ſaid act as have acted as commiſſioners of the land tax, and for rendering valid certain acts done by them.

An act for repealing the duties on perfumery, and on licences for vending the ſame.

An act to exempt from duty waſte paper imported into this kingdom, for the purpoſe of being re-manufactured, except the duty impoſed by an act of the thirty-eighth of the reign of his preſent Majeſty, for the better protection of the trade of this kingdom, and for granting new and additional duties of cuſtoms on goods imported and exported.

An act for making allowances in certain caſes to ſubaltern officers of the militia in time of peace.

An act for indemnifying governors, lieutenant governors, and perſons acting as ſuch, in the *Weſt India Iſlands*, who have permitted the importation and exportation of goods and commodities in foreign bottoms.

An act to diſcharge from a diſputed and dormant claim of the public, ſeveral eſtates belonging to the Right Honourable *William Carr*, Earl of *Errall*, Lord High Conſtable of *Scotland*.

An act for the ſecurity of collieries and mines, and for the better regulation of colliers and miners.

An act to authorize bakers and other perſons to ſell bread to his Majeſty's forces on their march, which ſhall not have been baked twenty-four hours; and to indemnify all perſons by whom ſuch bread may have been ſo ſold.

An act for amending ſeveral acts for regulating the price and aſſize of bread.

An act to explain, amend, and render more effectual, an act, paſſed in the third year of the reign of King *James* the firſt, intituled, " an act for the recovering of ſmall debts, and for the relieving of poor debtors in *London*;" and an act paſſed in the fourteenth year of the reign of his late Majeſty, King *George* the ſecond, to explain and amend the above mentioned act, and likewiſe for extending the powers of the court of requeſts in the city of *London*, in and by the ſaid two ſeveral acts, continued and eſtabliſhed.

An act for taking down and re-building, upon a more enlarged ſcale, the chapel of *Saint Mary*, in the town of *Caernarvon*.

An act for eſtabliſhing a new church or chapel lately erected on the ſouth ſide of *Hunter-ſtreet*, within the town and pariſh of *Liverpool*, in the county palatine of *Lancaſter*.

An

An act for the appointment and regulation of pilots and hoblers, for the conducting of ships and vessels into and out of the port and harbour, and river of *Neath*, in the county of *Glamorgan*, for placing buoys upon the bar of *Neath*, and the removal of obstructions in the said port or harbour, and river; for regulating the moorings of ships and vessels therein, and for the regulation of porters within the said port or harbour, and river, and within the town of *Neath*.

An act for altering and amending an act, made in the thirty-fifth year of his present Majesty's reign, intituled, "an act for "making and maintaining a navigable canal from the town and "county of the town of *Southampton*, to the city of *New Sarum*, "in the county of *Wilts*, with a collateral branch to *Northam*, "within the liberties of the town of *Southampton*."

An act for enabling the *Horncastle* navigation company to raise a further sum of money to complete the said navigation, and for amending an act, passed in the thirty-second year of the reign of his present Majesty, for making and maintaining the said navigation.

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and enlarging the powers of two acts, passed in the twenty-seventh year of the reign of his late Majesty King *George* the second, and the fifth year of the reign of his present Majesty, for opening, making, widening, and keeping in repair, a road from *Ratcliffe Highway*, through *Cannon-street*, in the county of *Middlesex*, into the road leading into the county of *Essex*, and also from the west end of *Brook-street*, into *Cable-street*, and from *Upper Shadwell street*, into the *Back Lane*, in the said county of *Middlesex*.

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of two acts, passed for repairing, amending, and widening the road from *Keighley*, in the west riding of the county of *York*, to *Kirkby in Kendal*, in the county of *Westmoreland*, so far as the same relate to that part of the said road which lies within the counties of *Westmoreland* and *Lancaster*.

An act for continuing for twenty-one years, and from thence to the end of the then next session of Parliament, the term, and altering and enlarging the powers of two acts, passed in the twenty-eighth year of the reign of his late Majesty, King *George* the second, and in the tenth year of the reign of his present Majesty, for repairing and widening the road from *Sutton* in the county of *Surrey*, through the borough of *Riegate*, by *Sidlow-mill* to *Povey Cross*, and several other roads therein mentioned, in the same county.

An act for vesting part of the settled estates of the most honourable *Arthur*, Marquis of *Downshire*, in the kingdom of *Ireland*, and Earl of *Hillsborough*, in the kingdom of *England*, in trustees, to be sold, and for laying out the money arising thereby in the pur-

chaſe of other eſtates, to be ſettled in lieu thereof, and to the ſame uſes and for other purpoſes.

An act for the partition of divers eſtates of the late Sir *Humphrey Briggs*, baronet, in which the right honourable *Richard* Viſcount *Fitzwilliam*, in the kingdom of *Ireland*, the reverent *Richard Huntley*, and *George Brooke*, Eſquire, have undivided ſhares.

An act for confirming a partition made of the eſtates of the late *Humphrey Pitt*, Eſquire, and certain powers of ſale, mentioned in the partition deeds.

An act for dividing, allotting, and enclosing, the commons and waſte lands in the pariſh of *Yſceifiog*, in the county of *Flint*; and in the pariſh of *Nannerch*, in the counties of *Flint* and *Denbigh*.

July 28, 1800. An act for raiſing the ſum of three millions five hundred thouſand pounds, by loans or exchequer bills, for the ſervice of the year one thouſand eight hundred.

An act for raiſing the ſum of three millions, by loans or exchequer bills, for the ſervice of the year one thouſand eight hundred.

An act for raiſing the further ſum of three millions, by loans or exchequer bills, for the ſervice of the year one thouſand eight hundred.

An act concerning the diſpoſition of certain real and perſonal property of his Majeſty, his heirs and ſucceſſors, and alſo of the real and perſonal property of her Majeſty, and of the Queen Conſort for the time being.

An act for ſuſpending, until the twentieth day of *Auguſt*, one thouſand eight hundred, the duties on foreign hops imported, and for granting other duties in lieu thereof.

An act for explaining and amending ſo much of an act paſſed in the preſent ſeſſion of Parliament, relating to the duties on income, as reſpects the delivery of the ſtatements to the commercial commiſſioners of *London*, under the amount of twenty-pounds.

An act to give further time for the payment on the conditions therein mentioned, of inſtalments on certain loans advanced to the houſe of *Alexander Houſton* and Company, to *Charles Aſhwell*, Eſquire, and to *William Johſtone*, Eſquire, being perſons connected with, and trading to the iſlands of *Grenada* and *Saint Vincent*.

An act for permitting *French* wines to be imported into this kingdom from the iſles of *Guernſey*, *Jerſey*, or *Alderney*, in bottles or flaſks.

An act for erecting a Lazaretto on *Chetney Hill*, in the county of *Kent*; and for reducing into one act the laws relating to quarantine, and for making further proviſion therein.

An act for the better preventing the embezzelment of his Majeſty's naval, ordnance, and victualling ſtores.

An act to authorize his Majeſty to grant commiſſions to natives of *the Seven United Provinces*, or of the hereditary ſtates of the Prince of *Orange*, to ſerve on board certain *Dutch* ſhips of war ſurrendered to his Majeſty's fleet, and in regiments in the pay of his Majeſty, and to enable any ſuch natives to enliſt as ſoldiers in ſuch regiments, under certain reſtrictions.

An act to repeal an act, made in the fourteenth year of the reign of his preſent Majeſty, intituled, "an act to prevent frauds "in the buying and ſelling of hops," and for the better collection of the duty on hops, and to prevent frauds and abuſes in the trade of hops.

An act to prohibit, until the fifteenth day of *October*, one thouſand eight hundred, the exportation of rice.

An act for regulating trials for high treaſon, and miſpriſion of high treaſon in certain caſes.

An act for the ſafe cuſtody of inſane perſons charged with offences.

An act to incorporate certain perſons by the name of "The "*London* Company, for the manufacture of flour, meal, and "bread," for a limited time.

An act for ſettling diſputes that may ariſe between maſters and workmen engaged in the cotton manufacture in that part of *Great Britain* called *England*.

An act for eſtabliſhing certain regulations in the offices of the Houſe of Commons.

An act for the better preſervation of timber in the *New Foreſt*, in the county of *Southampton*, and for aſcertaining the boundaries of the ſaid foreſt, and of the lands of the crown within the ſame.

An act for eſtabliſhing further regulations for the government of the *Britiſh* territories in *India*, and for the better adminiſtration of juſtice within the ſame.

An act to reſtrain all truſts and directions in deeds or wills, whereby the profits or produce of real or perſonal eſtates ſhall be accumulated, and the beneficial enjoyment thereof poſtponed beyond the time therein limited.

An act to continue until the fifth day of *April*, one thouſand eight hundred and one, and amend an act of the laſt ſeſſion of Parliament, for continuing ſeveral acts for the encouragement of the *Britiſh* fiſheries.

An act for the better regulating the practice, and for preventing delays in the proceedings of the Courts of Common Pleas of *Lancaſter*.

An act for the more effectual prevention of depredations on the river *Thames* and in its vicinity, and to amend an act, made in the ſecond year of the reign of his preſent Majeſty, to prevent the committing of thefts and frauds by perſons navigating bum boats, and other boats upon the river *Thames*.

An act to indemnify all perſons who have printed, publiſhed, or diſperſed, or who ſhall publiſh or diſperſe, any papers printed under the authority of the commiſſioners or head officers of any public boards, from all penalties incurred by reaſon of the name and place of abode of the printer of ſuch papers, not being printed thereon.

An act to render valid indentures of apprenticeſhip of poor children and others, made upon improper ſtamps, upon certain

conditions, and to indemnify all perſons who may have incurred penalties thereby, and for allowing atteſted copies of indentures, leaſes, or deeds, to be ſtamped after the ingroſſing, writing, or printing thereof.

An act for draining, embanking, and preſerving divers tracts of lands within the townſhip of *Muſton*, in the pariſh of *Hunmanby*, and alſo within ſundry other pariſhes, townſhips, or places adjoining, or near to the river *Derwent* and *Harford*, in the eaſt and north ridings of the county of *York*.

An act for better regulating the buſineſs of pawnbrokers.

An act for effectuating a partition or diviſion of certain freehold and copyhold, or cuſtomary meſſuages, lands and hereditaments, in the county of *Worceſter*, heretofore the eſtates of *Holland Cookſey*, Eſquire, deceaſed, and for ſubſtituting *Thomas Bird*, gentleman, to be a truſtee in the place of *William Dowdeſwell*, Eſquire, now in parts beyond the ſea, for all the purpoſes for which the ſaid *William Dowdeſwell*, jointly with *Thomas Blaney*, gentleman, is a truſtee of one undivided fifth part of the ſaid freehold and copyhold, or cuſtomary meſſuages, lands and hereditaments.

An act for dividing, allotting, and incloſing the commons, waſte lands and marſhes, in the pariſh of *Whitford*, in the county of *Flint*, and for fencing the ſaid marſhes.

July 29, 1800. An act for granting to his Majeſty a certain ſum of money out of the conſolidated fund, for applying certain ſums of money therein mentioned for the ſervice of the year one thouſand eight hundred, for further appropriating the ſupplies granted in this ſeſſion of Parliament, and for making forth duplicates of Exchequer Bills, Lottery Tickets, certificates, receipts, annuity orders, or other orders burnt or otherwiſe deſtroyed.

An act for indemnifying the Governor of *Surinam*, or the perſon acting as ſuch, for having permitted the importation and exportation of goods and commodities in foreign bottoms, and for making void all ſeizures of ſhips, veſſels, or goods, for any thing done in purſuance of ſuch permiſſion.

An act to permit, until ſix weeks after the commencement of the next ſeſſion of Parliament, the importation of *Swediſh* herrings into *Great Britain*.

An act to repeal an act paſſed in the laſt ſeſſion of Parliament, intituled, "An act to prevent unlawful combinations of workmen," and to ſubſtitute other proviſions in lieu thereof.

A CONVENTION *between His* BRITANNIC MAJESTY *and His Serene Highneſs the* PRINCE *of* ORANGE, *for receiving the Dutch Troops into His* MAJESTY'S *Service.*

Terms for receiving the Dutch Troops of His Serene Highneſs the Prince of Orange, under the Command of His Serene Highneſs the Hereditary Prince of Orange, into His Majeſty's Service.

THE King agrees to take into his ſervice the troops under his Serene Highneſs the Hereditary Prince of Orange on the following terms:

I.—*Formation of the Corps.* Theſe troops to be formed into four regiments of infantry, one regiment of chaſſeurs, four companies of artillery, and one company of pioneers.

II.—*Diſtribution of the Companies of Artillery and Pioneers.* One of each of the companies of artillery to be attached to each of the regiments of infantry, and the company of pioneers to the corps of chaſſeurs.

III.—*Eſtabliſhment.* The regiments of infantry and chaſſeurs, the companies of artillery and pioneers to conſiſt of the numbers expreſſed in Table No. I.

IV.—*Engagement to be ſigned by the Recruit.* Theſe troops to take the oath of allegiance to his Majeſty, and to ſerve in any part of Europe his Majeſty may think proper for the term of ſeven years, and to ſign an engagement accordingly, and be liable to the ſame regulations of war as his Majeſty's Britiſh troops.

V.—*Bounty for the Men now at the Iſle of Wight.* Each non-commiſſioned officer, drummer, and private now in the Iſle of Wight, who ſhall be approved of and accepted for his Majeſty's ſervice, to receive two pounds ten ſhillings as bounty, out of which he muſt be provided with the neceſſaries ſpecified in the annexed No. II. the remainder of the bounty to be accounted for and paid to the men; the chaſſeur (or yager) to have three pounds on account of the price of the ſac de chaſſe.

VI.—*Recruiting Conditions in Caſe of an Augmentation.* Whenever it ſhall be judged proper to complete or augment this corps by recruits from the continent, the Hereditary Prince of Orange, or whoever under his Serene Highneſs's authority may undertake to furniſh ſuch recruits, only to enliſt men who have been in the ſervice of Holland, or who are natural born ſubjects of the United Provinces, or belong to the Hereditary States of the Prince of Orange.

VII.—*Deſcription of the Recruit.* Each recruit to be enliſted for ſeven years, to be examined by a ſurgeon, who is to give a certificate, ſigned by himſelf, of his capacity or incapacity to ſerve, to be five feet four inches high, and from ſixteen to forty years of age, and finally to be approved of and accepted by the military commiſſary.

VIII.—*Bounty for Recruits hereafter to be raiſed.* The ſum of twelve pounds will be allowed for each recruit of the above deſcription, delivered at the depôt in the Iſle of Wight, who ſhall be approved

proved of, in addition to which the ſame bounty as ſpecified in Article V. for the purpoſe of providing the neceſſaries as therein referred to, ſhall be made. In all, for each infantry recruit fourteen pounds ten ſhillings, and for each yager the ſum of fifteen pounds.

IX.—*Government not to incur any additional Expence.* It is to be clearly underſtood that the Government is not to incur any expence for a rejected recruit, who is to be ſubſiſted and ſent back to the continent at the charge of the Hereditary Prince of Orange, or at that of the perſons employed under his Serene Highneſs's authority for recruiting theſe corps.

X.—*Period and Conditions of the Soldier's Diſcharge.* Each man who ſhall ſerve his time according to his engagement ſhall be entitled to his diſcharge, and be ſent to the continent, ſhould he require it, with two months pay, (provided he has behaved during the term of ſervice properly,) to carry him to his home, Government to be at the expence of taking him to the continent, or in any part of the United Provinces.

XI.—*Proviſion for wounded or diſabled Non-Commiſſioned Officers, Drummers, and Privates.* In caſes of wounds, or long and faithful ſervices, the non-commiſſioned officers, drummers, and privates will be entitled to the ſame treatment as Engliſh ſoldiers; or if they chooſe to return home, they will receive a ſum of money as a reward for their ſervices, in the ſame way as is now practiſed with foreign ſoldiers in the ſixtieth regiment, who prefer returning to the continent to receiving a penſion in England.

XII.—*No Soldier to be diſcharged without the Knowledge of the Military Commiſſary.* During the capitulation no non-commiſſioned officer, drummer, or private, ſhall be diſcharged but with the knowledge and conſent of the military commiſſary.

XIII.—*Equipment.* Government to furniſh arms and accoutrements.

XIV.—*Clothing.* Complete clothing will be delivered to each corps for its effective number, for which a receipt will be given by the commanding officer of each battalion, and for which clothing he is to be reſponſible, and to account for its iſſue twice a year, viz. on the 24th April and the 24th October, making returns of the ſame, together with the return of the arms and accoutrements at thoſe periods, to the Secretary at War, and to the military commiſſary. It is clearly to be underſtood, that no part of the clothing is the property of the men.

XV.—*Captains reſponſible for the Arms of their Companies.* The captains receiving an allowance for keeping complete and in repair the arms of their reſpective companies, they are to replace ſuch of them as may be loſt or deſtroyed by wilful neglect or abuſe.

XVI.—*Rate of Pay and Allowances.* The ſame pay and allowance to be granted to both officers and men, as to his Majeſty's infantry regiments, in whatever part of his Majeſty's dominions they may ſerve with them. The particulars of this pay and allowance

are

are annexed to the eſtabliſhment, numbered I. No difference of pay to be made to the artillery or yagers.

XVII.—*Eventual Alterations in the Pay and Allowances.* In the event of theſe corps being employed on the continent in conjunction with any other foreign corps, his Majeſty ſhall be at liberty to place them on any rate of pay and allowances granted to ſuch foreign troops of the ſame denomination with whom they may ſerve, as his Majeſty ſhall think fit. Though the pay and allowances may from this cauſe occaſionally vary, yet the mode and period of making up and of giving in the accounts are by no means to be altered; and to prevent the confuſion which may ariſe from too frequent changes, no alteration of pay and allowances ſhall take place but on the twenty-fifth day of each calendar month. This article to form part of the engagement to be ſigned by the non-commiſſioned officers, drummers, and privates now at the Iſle of Wight, who may be accepted for the King's ſervice; and by any recruit hereafter to be enliſted, the ſame time his engagement is ſigned, the twenty-third article to be read.

XVII.—*Date of Officers Commiſſions.* The officers commiſſions to bear date from the day on which this capitulation ſhall be ſigned; and the officers belonging to the corps who ſhall be in England to receive Britiſh pay from the 24th October 1799.

XIX.—*Commencement of Pay to the Men.* The non-commiſſioned officers, drummers, and privates, to receive pay from the day on which this capitulation is ſigned.

XX.—*The Dutch Troops ſubject to any Variation in the Pay and Allowances to the Britiſh Army.* Whatever variation of pay or regulation of interior economy his Majeſty ſhall think proper to eſtabliſh hereafter for the government of the Britiſh troops, ſhall, in ſuch inſtances as the King ſhall think expedient, be extended to the Dutch troops.

XXI.—*Officers to join in Three Months.* All officers to join within the ſpace of three months after the date of their commiſſions; and if they do not join within that period their appointment to ſuch commiſſions to be conſidered void. No officer is to receive pay until he ſhall join the corps.

XXII.—*Proviſion for wounded Officers.* Officers rendered incapable of ſervice by wounds, or other infirmities contracted while in the diſcharge of their military duty, and while in the Britiſh ſervice, to receive a proviſion from this country, in no caſe to exceed the half-pay of the rank they hold at the time of being ſo incapacitated.

XXIII.—*Theſe Troops to paſs into the Service of His Serene Highneſs the Hereditary Prince of Orange.* In the event of the lawful government of the United Provinces being reſtored, or his Serene Highneſs the Stadtholder, or the Hereditary Prince of Orange being ſo ſituated in virtue of any arrangements which may have received the concurrence of his Majeſty, as to be able to maintain and employ theſe troops on the continent of Europe, they are to be held at his

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Serene Highneſs's diſpoſal, on his tranſmitting a requiſition to the Commander in Chief for the time being, three months previous to the time at which the troops are to quit his Majeſty's ſervice.

XXIV.—*Officers Commiſſions to be ſigned by His Royal Highneſs the Commander in Chief, and by His Serene Highneſs the Stadtholder.* All the commiſſions in the corps to be granted for the preſent by his Royal Highneſs the Commander in Chief, in the ſame manner as they are now granted to the officers of the other foreign corps, and theſe officers of the other foreign corps, and the officers to be alſo commiſſioned by the Stadtholder or Hereditary Prince of Orange; which commiſſions are to be of an equal rank with thoſe granted by his Royal Highneſs the Commander in Chief.

XXV.—*Their Serene Highneſſes the Prince, or the Hereditary Prince of Orange to recommend to Commiſſions.* His Serene Highneſs the Stadtholder or the Hereditary Prince of Orange to recommend to all the vacant commiſſions.

XXVI.—*Preference to the Dutch Officers receiving an Allowance.* The officers formerly in the ſervice of Holland, and now receiving an allowance from Great Britain, to be among the firſt perſons placed in this corps.

XXVII.—*Military Commiſſary.* A military commiſſary, who is alſo to act as inſpector, to be named to the Dutch corps on their being received into the ſervice.

XXVII.—*Paymaſter.* A paymaſter for the whole corps with aſſiſtants to be attached to each of the ſeparate battalions to be appointed by the Prince of Orange, but ſubject to the inſtructions, regulations, and reſtrictions of the War Office, of which copies are annexed.

XXIX.—*His Serene Highneſs the Hereditary Prince the Proprietor.* The Hereditary Prince of Orange, with the approbation of his Serene Highneſs the Stadtholder, to be conſidered as proprietor of the whole of the corps, and to enjoy ſix hundred pounds for each battalion of one thouſand men, or three thouſand pounds per annum for the preſent corps.

XXX.—*Colonel Commandant of Battalion of one Thouſand Men.* To each battalion of one thouſand men ſhall be appointed a colonel commandant, whoſe pay ſhall be made up five hundred pounds per annum, without any further emoluments: Theſe colonels commandants, when with their regiments, to be conſidered only as a major-general in the Britiſh ſervice not on the ſtaff, viſiting his regiment, and of courſe will not exerciſe a general command over the corps without receiving a ſpecial power for that purpoſe.

XXXI.—*The Chaſſeurs.* The yagers, although ſtated at ſix companies, are not to be conſidered as a regiment until their numbers are encreaſed ſo as to form ten companies of the ſtrength ſpecified in the annexed plan, at which time a colonel commandant may be recommended with the proper number of officers.

XXXII.—*The Conditions on raiſing a Sixth Battalion.* Theſe corps being completed to the numbers ſpecified, and the Hereditary Prince of Orange (after eſtabliſhing, to the ſatisfaction of Government,

vernment, the means of keeping them complete in effective numbers present with the corps) finding it possible to raise an additional battalion of Dutchmen, or having been in the service of the United Provinces, or men born in the Hereditary States of his Serene Highness the Stadtholder, such corps shall be considered as a battalion as soon as it shall be completed to the numbers of six hundred approved men, and the Hereditary Prince of Orange shall enjoy all the advantages of any other battalion already formed; but the colonel commandant, the second major, the four additional captains, and a proportion of subaltern officers, are not to be appointed until the corps is completed to one thousand men.

XXXIII.—*Uniform.* The Dutch troops to be allowed to wear blue uniforms, and the officers to wear the English sash with the old Dutch sword knot.

XXXIV.—*Bounty for the Men at present in Germany.* The Prince of Orange will be allowed for the men at present in Germany who shall be accepted and approved of, a subsistence of five pence per diem, and eight pounds per man to bring them to England, with the addition of two pounds ten shillings to provide them with the necessaries referred to in article V.

XXXV.—*Rejected Men.* For each man now in use in the Isle of Wight, who shall not be accepted for the King's service, the Hereditary Prince of Orange shall be allowed subsistence, until such rejected man be sent back to the continent, or otherwise provided for. These rejected men to be sent back at the expence of Government, or an allowance for each man to be paid in lieu thereof; which being paid, the Government to be subject to no further charges.

XXXVI.—*Cadets.* The cadets at present in Germany, or at the Isle of Wight, to be provided for, by being appointed, for the present, one of the five serjeants attached to each company, with an addition of one shilling per diem to the present pay of serjeant. It is to be understood that hereafter no cadets are to be appointed.

(Signed) WILLIAM FREDERIC, Hereditary Prince of Orange

Jan 18, 1800. Approved.

By his Majesty's Command,

(Signed) GRENVILLE.

CONVENTION

Entre Sa Majesté Britannique *et Sa* Majesté l'Empereur des Romains.

Fait à Vienne le 20 *Juin* 1800.

SA Majesté le Roi de la Grande Brétagne et sa Majesté l'Empereur des Romains, Roi d'Hongrie et de Bohême, ont jugé qu'il étoit conforme à l'intérêt de leurs couronnes, et au bien de la cause générale, de se concerter entre elles sur la manière la plus propre à rendre efficace l'union de leurs efforts contre l'ennemi commun dans la campagne actuelle: En conséquence de quoi, le très hon. Gilbert Lord Minto, Pair de la Grande Brétagne, Conseiller

Privé de ſa Majeſté Britannique, ſon Envoyé Extraordinaire et Miniſtre Plénipotentiaire à la Cour de Vienne, et le Baron de Thugut, Grand Croix de l'Ordre de St. Etienne, Miniſtre des Conférences de ſa Majeſté Impériale, ſon Commiſſaire Général et Miniſtre Plénipotentiaire dans ſes provinces d'Italie, d'Iſtrie, de Dalmatie, &c. ayant été munis, de la part de leurs ſuſdites Majeſtés Britannique et Impériale, des facultés requiſes pour diſcuter et règler cet important objet, les dits plenipotentiaires, après s'être reſpectivement communiqués leurs pleins pouvoirs, ſont convenus des articles ſuivans:

Art. I. Pour ſubvenir aux beſoins urgens des finances de ſa Majeſté Impériale, dans les fraix énormes déjà faits, et à faire, pour la campagne préſente, ſa Majeſté Britannique avancera à ſa ſuſdite Majeſté Impériale, à titre de prêt, la ſomme de deux millions de livres ſterlings. Cette ſomme ſera partagée par tiers, et fournie en trois termes, préférablement en numéraire effectif; de ſorte qu'il en ſera payé le premier tiers de 666,666l. 13s. 4d. dans les premiers jours du mois de juillet, le ſecond tiers d'une ſomme égale dans les premiers de Septembre, et le tiers reſtant dans les premiers jours du mois de Decembre.

Art. II. Pendant toute la durée de la guerre, et pendant les ſix mois qui ſuivront la concluſion de la paix de l'Autriche, ſa Majeſté Impériale ne ſera point tenue à payer aucuns intérêts de la ſomme des deux millions d'avances, ſtipulée dans l'article précedent; la Grande Brétagne conſentant à s'en charger pour ſon propre compte, juſqu'à l'epoque qui vient d'être énoncée: mais à commencer de l'expiration du terme de ſix mois après la concluſion de la paix, ſa Majeſté Impériale fournira à l'avenir au Gouvernement Britannique, ou aux individus qui ſeront indiqués par le Gouvernement Britannique, une rente annuelle ou des rentes annuelles, faiſant enſemble le montant des intérêts des deux millions avancés; leſquels intérêts ſeront évalués au même taux que les intérêts de l'emprunt fait pour le compte du Gouvernement Britannique dans l'année préſente. Sa Majeſté Impériale payera de plus annuellement au Gouvernement Britannique la ſomme de vingt mille livres ſterlings en deux termes, c'eſt à-dire dix mille livres par chaque ſix mois, laquelle ſomme ſera employée au rachât et à l'amortiſſement ſucceſſifs du principal des deux millions, d'après la méthode adoptée par le Gouvernement Britannique pour ſes propres emprunts.

Art. III. Leurs Majeſtés Britannique et Impériale ſe promettent mutuellement de pouſſer la guerre contre la République Françaiſe dans la campagne actuelle avec toute la vigueur poſſible, et d'y employer tous leurs moyens reſpectifs de terre et de mer, en ſe concertant ſelon les occaſions ſur la manière la plus avantageuſe de faire ſervir réciproquement leurs forces de terre et de mer à l'appui de leurs opérations contre l'ennemi commun. Sa Majeſté Impériale aura ſoin de compléter ſes armées d'Allemagne et d'Italie à raiſon des pertes qu'elles auront ſouffertes, afin de faire toujours agir, autant que poſſible, contre l'ennemi commun, le même nombre de

combattans

combattans effectifs, conformément aux etats qu'elle a fait communiquer confidentialement au Gouvernement Britannique à l'ouverture de sa campagne.

Art. IV. Les troupes Bavaroises, celles de Wurtemberg, et les régimens de Suisses à la solde de la Grande Brétagne, seront à la disposition de sa Majesté Impériale, pour faire partie de son armée d'Allemagne, et d'y être employées dans les opérations contre l'ennemi, conformément aux conventions et capitulations conclus à ce sujet par le Roi de la Grande Brétagne: Sa Majesté Britannique prendra les mesures nécessaires pour renforcer ultérieurement l'armée de sa Majesté Impériale en Allemagne, par un nombre aussi considérable que faire se pourra des troupes Allemandes et Suisses.

Art. V. Leurs Majestés Britannique et Impériale s'engagent, pour toute la durée de la présente convention, de ne pas faire de paix separée avec la Republique Française, sans le consentement préalable et exprès l'une de l'autre. Elles s'engagent de même de ne pas traiter avec l'ennemi, ni d'en recevoir des ouvertures soit pour une paix particuliere soit pour une pacification générale, sans s'en faire mutuellement communication avec franchise, et agir à tous egards dans un concert parfait.

Art. VI. La durée de la présente convention est fixée au terme d'une année, à compter du 1st Mars 1800 jusqu'à la fin de Fevrier 1801. Dès le mois de Decembre, et immediatement après l'acquittement du dernier paiement des advances stipulées, les deux hautes parties contractantes entreront en deliberation et explication confidentielles sur les déterminations qu'elles estimeront adopter pour l'avenir, d'après les circonstances et la convenance respective.

Art. VII. La présente convention sera ratifiée en dues formes par sa Majesté Britannique et par sa Majesté Impériale, et les ratifications respectives seront échangées à Vienne dans l'espace de six semaines, plutôt si faire se pourra.

En foi de quoi nous soussignés, munis des pleins pouvoirs de leurs Majestés Britannique et Impériale, avons en leurs noms signé la présente convention, et y avons fait apposer le cachet de nos armes.

Fait à Vienne le vingt Juin, l'an mil huit cent.

(L.S.) MINTO.

(L.S.) LE BARON DE THUGUT.

TRANSLATION.

Convention between his Britannic Majesty and his Majesty the Emperor of the Romans. Done at Vienna the 20th June 1800.

HIS Majesty the King of Great Britain and his Majesty the Emperor of the Romans, King of Hungary and Bohemia, have judged that it was conformable to the interest of their crowns, and to the good of the common cause, to concert with each other on the best manner of giving effect to the union of their efforts against the common enemy in the present campaign: In consequence of which, the right honourable Gilbert Lord Minto, Peer of Great Britain, one of his Britannic Majesty's most honourable Privy Council, and

his Envoy Extraordinary and Minister Plenipotentiary to the Court of Vienna, and the Baron de Thugut, Grand Cross of the Order of St. Stephen, his Imperial Majesty's Minister of Conferences, and Commissary-General, and Minister Plenipotentiary in his provinces of Italy, Istria, Dalmatia, &c. being furnished, on the part of their aforesaid Britannic and Imperial Majesties, with the powers requisite for discussing and arranging this important object: The said plenipotentiaries, after having respectively exchanged their full powers, have agreed upon the following articles:

Art. I. In order to relieve the pressing necessities of the finances of his Imperial Majesty, under the enormous expences already incurred, and which remain to be incurred, during the present campaign, his Britannic Majesty shall advance to his above-mentioned Imperial Majesty, by way of loan, the sum of two millions pounds sterling. This sum shall be divided into three parts, and paid at three different periods, preferably in specie; so that the first third of 666,666l. 13s. 4d. shall be paid in the first days of the month of July, the second third of the like sum in the first days of September, and the remaining third in the first days of the month of December.

Art. II. During the whole continuation of the war, and during the six months which shall follow the conclusion of a peace between Austria and France, his Imperial Majesty shall not be bound to pay any interest upon the sum of two millions advanced, as stipulated in the preceding article; Great Britain consenting to take this charge upon her own account, until the period above-mentioned: But on the expiration of the term of six months after the conclusion of peace, his Imperial Majesty shall pay for the future to the British Government, or to the individuals who shall be pointed out by the British Government, an annual rent or annual rents, making altogether the amount of the interests of the two millions advanced; which interests shall be calculated at the same rate as the interests of the loan made on account of the British Government in the present year. His Imperial Majesty shall moreover pay annually to the British Government the sum of 20,000l. sterling at two periods, that is to say, 10,000l. every six months; which sum shall be employed in the successive purchase and reduction of the principals of the two millions, according to the method adopted by the British Government in its own loans.

Art. III. Their Britannic and Imperial Majesties mutually promise each other to carry on the war against the French Republic during the present campaign with all possible vigour, and to employ in it all their respective means by land and sea, concerting together as occasion shall require on the most advantageous manner of reciprocally employing their forces by land and sea to the support of their operations against the common enemy. His Imperial Majesty shall be careful to complete his armies of Germany and of Italy in proportion to the losses which they have sustained, in order always, as far as possible, to bring to act against the common enemy the same number of effective men conformably to the state-

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ments which his Imperial Majeſty cauſed to be confidentially communicated to the Britiſh Government on the opening of the campaign.

Art. IV. The Bavarian troops, thoſe of Wurtemberg, and the Swiſs regiments in the pay of Great Britain, ſhall be at the diſpoſition of his Imperial Majeſty, to form a part of his army in Germany, and to be employed there in operations againſt the enemy, in conformity to the conventions and capitulations concluded on this ſubject by the King of Great Britain: His Britannic Majeſty ſhall take the neceſſary meaſures for the further reinforcement of the army of his Imperial Majeſty in Germany by as great a number as poſſible of German and Swiſs troops.

Art. V. Their Britannic and Imperial Majeſties engage, during the whole continuance of the preſent convention, not to make a ſeparate peace with the French Republic, without the previous and expreſs conſent of each other. They engage likewiſe not to treat with the enemy, nor to receive from him any overtures either for a private peace or for a general pacification, without making mutually communications of them with openneſs, and acting in every reſpect in perfect concert.

Art. VI. The duration of the preſent convention is fixed for the term of one year, to be computed from the 1ſt of March 1800, until the end of February 1801. From the month of December, and immediately after the acquittal of the laſt payment of the ſtipulated advances, the two high contracting parties ſhall enter into deliberation and confidential explanation upon the determinations that they may think neceſſary to adopt for the future, according to circumſtances and their mutual convenience.

Art. VII. The preſent convention ſhall be ratified in due form by their Britannic and Imperial Majeſties, and the reſpective ratifications ſhall be exchanged at Vienna in the ſpace of ſix weeks, or ſooner if poſſible.

In witneſs whereof we the underſigned, furniſhed with the full powers of their Britannic and Imperial Majeſties, have in their names ſigned the preſent convention, and have affixed thereunto the ſeal of our arms.

Done at Vienna the twentieth of June, in the year 1800.

(L.S.) MINTO.

(L.S.) LE BARON DE THUGUT.

A CONVENTION *between his* BRITANNIC MAJESTY *and his* SERENE HIGHNESS *the* PRINCE *of* ORANGE, *reſpecting the Dutch Ships of War which ſurrendered to Vice Admiral Mitchell, in the Vlieter, on the 30th of Auguſt, 1799.*

Terms on which his Majeſty has agreed to take into his employment the Dutch Ships of War which ſurrendered to his Majeſty's Fleet under the command of Vice Admiral Mitchell, to be held for the orders of his Serene Highneſs the Prince of Orange, in the Vlieter, on the 30th of Auguſt, 1799.

I. His Serene Highneſs engages, on behalf of the lawful Government of the Republic of the United Provinces, to furniſh the ſhips

mentioned in the margin*, completely officered, manned, and victualled, to be employed under his Majeſty's orders, in the European ſeas only, and for the advantage of the common cauſe, during the preſent war, or until the lawful Government of the Republic ſhall be re-eſtabliſhed therein, and ſhall reclaim thoſe ſhips. His Serene Highneſs is to be at liberty to employ any Dutch ſeamen now on board of the ſaid ſhips, or on board of the Hector, or on board of the Heldin, or on board of the Venus, or on board of the Minerva; or any other Dutch ſeamen well affected to the lawful Government of the United Provinces, and who may be diſpoſed to ſerve in the manner and on the terms now propoſed.

II. His Serene Highneſs agrees to place at the diſpoſal of his Majeſty the ſhips mentioned in the annexed ſchedule, in the ſtate in which they now are, to be employed as his Majeſty ſhall judge proper, and for the benefit of the common cauſe, within the European ſeas, during the war, or until the lawful Government of the Republic ſhall be re-eſtabliſhed therein, and ſhall reclaim thoſe ſhips.

III. In order to enable his Serene Highneſs to carry into effect the ſtipulation of the firſt article, his Majeſty engages to defray the expence of putting the ſhip of the line, two frigates, and ſloop therein mentioned, into a condition for ſervice, and to keep them conſtantly in a proper ſtate of repair, and to ſupply them with ſuch naval ſtores as may from time to time be neceſſary for their uſe while ſo employed as above.

IV. His Majeſty engages to cauſe to be paid from time to time to his Serene Highneſs, or to any perſon properly authoriſed by him, ſuch ſum or ſums of money as may be requiſite for the payment of the wages of the officers and crews of the ſaid firſt mentioned ſhips, and for their ſupport and maintenance; the amount of ſuch wages and allowances to be computed according to the rates allowed for ſhips of the like claſs, under the regulations eſtabliſhed in the admiralties of the United Provinces previous to the year 1795. The firſt payment of wages and allowances to be made in advance within the ſpace of ten days from the date of the ſignature of this agreement, and from thenceforth in regular proportions every three months during the period in which the ſaid ſhips ſhall continue to be employed.

V. His Majeſty engages that the ſaid ſhips and ſloop ſhall, at the concluſion of the preſent war, be delivered up to his Serene Highneſs on the behalf of the lawful Government of the United Provinces, provided that at that period the ſaid government ſhall be re-eſtabliſhed in thoſe provinces, and that the ſame ſhall be delivered from the power of the French.

VI. In the event of his Majeſty's employing any of the ſhips ſpecified in the ſchedule which is referred to in the ſecond article, his Majeſty engages to reſtore them as above to his Serene Highneſs on the behalf of the lawful Government of the United Provinces,

* One of 60 guns, 450 men.—One of 44 guns, 350 men.—One of 36 guns, 250 men.—One of 18 guns, 100 men. Total 1150 men.

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in as perfect a ſtate as they at preſent are. With a view to the fulfilling this ſtipulation, his Majeſty will appoint proper perſons to examine, in conjunction with ſuch perſons as may be nominated by his Serene Highneſs, and prepare eſtimates of the value of the ſhips above mentioned, before they are employed; and in caſe any of the ſaid ſhips ſhall be taken by the enemy, or be loſt while employed by his Majeſty, the value thereof ſhall be depoſited in the hands of his Serene Highneſs for and in the behalf of lawful Government of the United Provinces as above, or ſubject to ſuch other diſpoſition as may be made thereof by any ſubſequent agreement.

VII. It is agreed, that proper commiſſions to the officers ſerving on board of the ſhip of the line, two frigates, and ſloop before mentioned, ſhall be granted by his Majeſty in the ſame manner as they are now granted to the officers of his Majeſty's naval ſervice; and that the ſaid officers ſhall alſo be furniſhed with commiſſions of the ſame rank and date by the Prince of Orange, as Admiral General of the United Provinces; and that the ſaid officers ſhall rank with his Majeſty's Britiſh officers according to the date of their reſpective commiſſions; and that they and their crews ſhall be entitled to prize money in all the ſame caſes and under the ſame regulations as are or may be eſtabliſhed for his Majeſty's Service, whether ſuch prize-money ſhall accrue from captures made ſolely by the ſaid ſhips, or by them in conjunction with any of his Majeſty's ſhips, or with any privateer duly commiſſioned by his Majeſty.

(Signed) W. PRINCE OF ORANGE.

March 11, 1800. Approved.

By his Majeſty's command,

(Signed) GRENVILLE.

SCHEDULE.

Names.	Guns.
Waſhington	74
Admiral de Ruyter	68
Leyden	68
Cerberus	68
Utrecht	68
Guelderland	68

SCHEDULE.

Names.	Guns.
Batavier	56
Beſchermer	56
Mars razé	50
Amphitrite	44
Ambuſcade	34
Galathé	18

(Signed) W. PRINCE OF ORANGE

(Signed) GRENVILLE.

FIRST EXPLANATORY ARTICLE.

It is agreed that the expreſſion contained in the ſixth article of the foregoing convention, "In as perfect a ſtate as they at preſent are," is not to be ſo underſtood as to oblige his Majeſty to make compenſation for ſuch damage as may ariſe only from the reaſonable wear and tear of the ſhip referred to in the above-mentioned article, during the period in which they may be employed in the manner mentioned in the convention.

(Signed) W. PRINCE OF ORANGE.

April 2, 1800. Approved.

By his Majeſty's command,

(Signed) GRENVILLE.

SECOND EXPLANATORY ARTICLE.

Whereas, ſince the ſigning of the convention of the 11th of March laſt, containing the terms on which his Majeſty has agreed to take into his employment the Dutch ſhips of war which ſurrendered at the Vlieter to his Majeſty's fleet under the command of Vice Admiral Mitchell, ſeveral difficulties have occurred with regard to the beſt means of carrying that agreement into execution; eſpecially that part of it, by which it has been ſtipulated—In the firſt article, "That his Serene Highneſs engages on the behalf of the lawful Government of the Republic of the United Provinces, to furniſh the ſhips mentioned therein, completely victualled;"—and in the fourth article, "That his majeſty engages to cauſe to be paid, from time to time, to his Serene Highneſs, or to any perſon properly authoriſed by him, ſuch ſum or ſums of money for the payment of ſupport and maintenance of the officers and crews of the ſaid ſhips, the amount of ſuch allowance to be computed according to the rates allowed for ſhips of the like claſs under the regulations eſtabliſhed in the admiralties of the United Provinces previous to the year 1795. And as thoſe difficulties have been found to be of ſuch a nature as to render another mode of proceeding in this reſpect more eligible for the furtherance of the public ſervice: it is agreed, that the aforeſaid ſtipulations, as far as they relate to the mode of victualling the above ſhips, ſhall be conſidered as making no part of the ſaid firſt and fourth articles of the above convention; and in order to provide now for the ſame, his Majeſty engages to cauſe the ſaid ſhips of war to be victualled from time to time in the ſame manner as is practiſed with regard to the crews of his Majeſty's ſhips of war.

(Signed) W. PRINCE OF ORANGE.

London, June 16, 1800. Approved.

By his Majeſty's command,

(Signed) GRENVILLE.

ERRATA.

In LORD CLIFTON (Earl Darnley's) ſpeech on Union, vol. 3, page 648, line 6, dele the word "that." Page 652, line 12, for "what ſeems to me ſufficient anſwers," read "what appear to me to be ſufficient anſwers." Page 653, line 19, for "ever," read "even." Page 654, line 31, for "juſt agitated," read "firſt agitated." Page 657, line 34, for "permanent," read "paramount," and line 36, for "alternate," read "ultimate." Vol. 30, pages 54, 55, owing to the miſtake of the Compoſitor, two ſentiments obſcure, and the ſame ſpeech of the Biſhop of London on the Adultery Bill, are inſerted.

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TO

WOODFALL'S

PARLIAMENTARY REPORTS.

BEING

THE FOURTH SESSION OF THE EIGHTEENTH PARLIAMENT, COMMENCED SEPTEMBER 24, 1799, AND ENDED JULY 29, 1800.

*** The Roman Numerals refer to the Volume, and the Figures to the Page.

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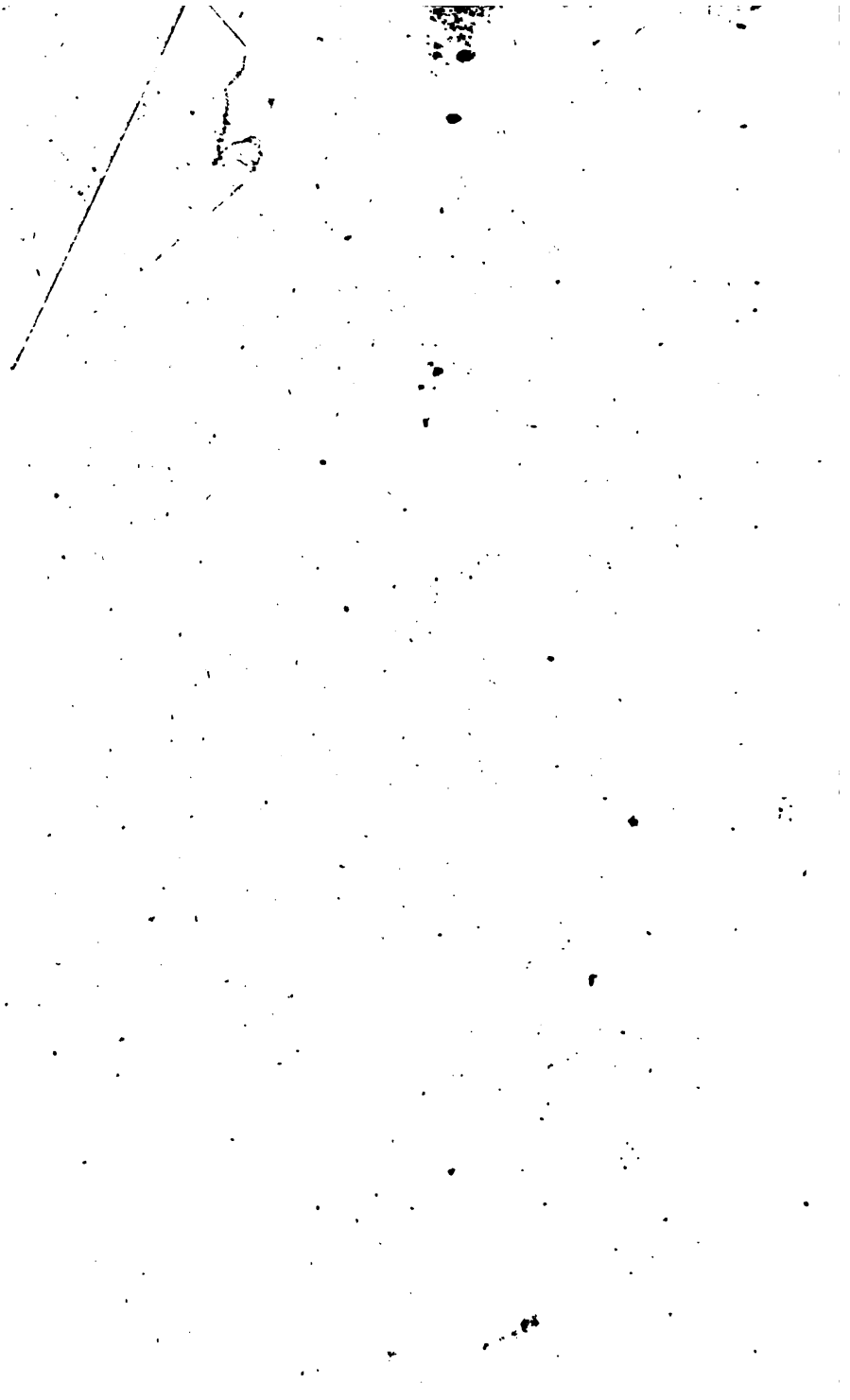

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